

## ABSENT—49.

Barbour,	Edmunds,	McMillan,	Squire,
Bate,	Eustis,	McPherson,	Stanford,
Berry,	Everts,	Moody,	Teller,
Blodgett,	Farwell,	Morrill,	Turpie,
Brown,	Faulkner,	Paddock,	Vance,
Butler,	Gibson,	Pasco,	Vest,
Call,	Gorman,	Payne,	Voorhees,
Cameron,	Harris,	Pettigrew,	Warren,
Carlisle,	Hearst,	Pierce,	Wilson of Iowa,
Colquitt,	Higgins,	Plumb,	Wilson of Md.
Daniel,	Jones of Arkansas,	Power,	
Davis,	Jones of Nevada,	Quay,	
Dixon,	Kenna,	Sherman,	

So the Senate refused to adjourn.

The PRESIDING OFFICER. No quorum voting, the Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Aldrich,	Cullom,	Ingalls,	Sawyer,
Allen,	Daniel,	McConnell,	Shoup,
Allison,	Dawes,	McMillan,	Spooner,
Berry,	Dolph,	McPherson,	Stockbridge,
Blackburn,	Faulkner,	Manderson,	Turpie,
Blair,	Frye,	Mitchell,	Vest,
Call,	Gray,	Morgan,	Walthall,
Carey,	Hampton,	Paddock,	Warren,
Casey,	Harris,	Platt,	Washburn,
Chandler,	Howley,	Pugh,	Wolcott.
Cockrell,	Hiscock,	Reagan,	
Coke,	Hoar,	Sanders,	

Mr. ALLISON. My colleague [Mr. WILSON, of Iowa] was obliged to leave the Chamber an hour and a half ago on account of illness. Otherwise he would be present.

Mr. WOLCOTT. My colleague [Mr. TELLER] is temporarily absent from the Chamber. He was here a short time ago.

Mr. FAULKNER. I desire to state that my colleague [Mr. KENNA] is temporarily absent from the Chamber, and he is paired with the Senator from Colorado [Mr. WOLCOTT].

Mr. TURPIE. I wish to announce that my colleague [Mr. VOORHEES] is detained by illness.

The PRESIDING OFFICER. Forty-eight Senators having responded to their names, a quorum is present.

Mr. BLAIR. I ask unanimous consent to make a statement. I find upon inquiry among Senators who desire to speak that it will be probably impossible to conclude the bill to-night. The Senator who has just taken the floor [Mr. COCKRELL] informed me that it would be a special convenience to him to adjourn in order that he might examine papers; that he is not quite ready to go on to-night. Therefore, in the hope of expediting or making a certainty of the end of the bill, I ask that unanimous consent may be given to take the vote upon the bill and amendments without further debate to-morrow afternoon at 3 o'clock.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. COCKRELL. Mr. President—

Mr. HALE. Would not 1 o'clock do?

Mr. BLAIR. I want to get an agreement; and we will see what Senators will say about the proposition I have made.

Mr. COCKRELL. I do not think it is exactly fair when the Senators who are in favor of the bill have monopolized almost the entire day that those who are opposed to it and desire to give their reasons should be cut off. I think those of us who are opposed to the bill ought to have a little time to give our reasons for opposing the measure. I say it involves \$30,000,000 and that it is entitled to be considered and discussed here.

It is not a mere pittance. It is a few thousand men against the great laboring masses of this country, trying to take out of their pockets double compensation. It is the worst back-salary grab that has been presented before Congress since the one that retired the members of one Congress here.

Now, I think we ought to have a fair chance. I know there are two or three Senators who want to speak. How long they will want to speak I can not tell. They will only speak just as long as it is necessary to present sufficient and valid reasons against the bill. When the Senator from Massachusetts and the Senator from New Hampshire have consumed nearly all the time to-day, I do not think it is right now to begin to fix an hour to vote that will give us only three or four hours for discussion. We will dispose of it as promptly as we can.

Mr. BLAIR. I will simply say that the Senator is not quite right in stating that the friends of the bill have occupied most of the time. The debate has been mostly against the bill. However, that is not to the merits of the present condition. Nobody has any desire to prevent a full discussion of the bill on the part of those opposed to it; but it seems to me that as the end of the session is so rapidly approaching there should be a disposition on both sides of the Chamber to fix a limit when the vote might be taken. If 3 o'clock to-morrow is not a satisfactory hour I would ask any Senator, the Senator from Mississippi or the Senator from Missouri, to suggest a time to-morrow.

Mr. COCKRELL. Dispose of it to-morrow.

Mr. BLAIR. With the understanding that the bill is to be disposed of to-morrow, I am willing to adjourn. I ask that it be agreed that

the bill shall be taken up immediately on the conclusion of the morning business to-morrow.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that the bill be taken up immediately after the conclusion of routine business to-morrow morning, and that it be proceeded with until concluded before adjournment to-morrow. Is there objection to that request? The Chair hears none.

Mr. ALLISON. Now I ask that there may be a new print of the substitute proposed by the Senator from New Hampshire and of the amendment to it proposed by the Senator from Massachusetts.

Mr. DAWES. Before a reprint of my amendment is ordered I desire to modify it to meet the objection of the Senator from New Hampshire, and to strike out the appropriation in the first section and insert in lieu thereof the words "and report to Congress."

The PRESIDING OFFICER. The Senator will prepare the modification and see that the clerks get it.

Mr. DAWES. And also I will strike out the second section altogether.

The PRESIDING OFFICER. The request of the Senator from Iowa for a reprint of the amendment of the Senator from New Hampshire and the amendment of the Senator from Massachusetts, modified by him as he suggests, will be ordered.

## DEATH OF THE LATE REPRESENTATIVE WALKER.

Mr. COCKRELL. I desire to give notice that on Tuesday evening next I shall ask the Senate to lay aside its ordinary business and proceed to the consideration of the resolutions of the House of Representatives, announcing the death of Hon. James P. Walker, late a Representative from the Fourteenth district of Missouri.

## EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 7, 1891, at 11 o'clock a. m.

## HOUSE OF REPRESENTATIVES.

FRIDAY, February 6, 1891.

The House met at 11 o'clock a. m. Prayer by Rev. PHILLIPS BROOKS, D. D., of Boston, Mass.

The Journal of the proceedings of yesterday was read and approved.

## TREATY OF RECIPROCITY WITH THE HAWAIIAN ISLANDS.

Mr. McKINLEY. Mr. Speaker, I desire to call up the bill (H. R. 12333) relating to the treaty of reciprocity with the Hawaiian Islands and ask for its consideration now.

The bill was read, as follows:

*Be it enacted, etc.*, That nothing in the act approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," shall be held to repeal or impair the provisions of the convention respecting commercial reciprocity concluded January 30, 1875, with the King of the Hawaiian Islands, and extended by the convention proclaimed November 9, 1887; and the provisions of said convention shall be in full force and effect as if said act had not passed.

Mr. BLAND. If that can be considered in Committee of the Whole I do not want to raise any objection. Unless it can be considered so as to be amended and debated I shall object to it.

Mr. McKINLEY. Perhaps I can explain the matter in a few moments, so that the gentleman from Missouri will not make that objection. I have consulted some of the gentlemen on the Committee on Ways and Means on that side of the House, and I do not understand they desire to make any point that it shall be considered in Committee of the Whole. I hope that we can make some arrangement as to the time that shall be consumed in debate.

Mr. MILLS. Perhaps you had better go into Committee of the Whole.

Mr. McKINLEY. I hope we will be able to make an arrangement with gentlemen who desire to discuss the bill as to the time for general debate, and I do not think it will require very much time. Then I trust the gentleman from Missouri will not insist upon this bill being considered in Committee of the Whole.

Mr. BLAND. This is a matter of very great importance, and I think it should be considered in Committee of the Whole.

Mr. SPRINGER. We would need to be in committee but a very short time.

Mr. McMILLIN. I hope the gentleman from Illinois will not undertake to make a promise of that kind.

Mr. MILLS. I will say to the gentleman from Ohio that I think the shorter way would be to go into Committee of the Whole.

Mr. McKINLEY. On the suggestion of the gentleman from Texas, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12333) relating to the treaty of reciprocity with the Hawaiian Islands;



and pending that motion I desire to ask gentlemen on the other side how much time they will desire to occupy in general debate.

Mr. MILLS. There seems to be objection to fixing any time. I do not think the debate will take very long; but we had better go into committee without any limit.

Mr. McKINLEY. If that is true, I will state from my conversations with gentlemen on the other side, and I have held this up for days for their convenience, that I believed we would have no trouble about agreeing upon the time. I trust gentlemen will state the time they desire to use, so that we will understand exactly how long we will take in the discussion of this bill. It seems to me that is due under the circumstances. I do not desire to limit gentlemen so that they will not be able to express their views in the fullest sense upon this bill, but at this stage of the session it does seem to me that there ought to be some sort of limit to general debate.

Mr. BRECKINRIDGE, of Arkansas. The gentleman from Ohio knows that there is no more disposition on this side of the House unnecessarily to consume time than there is on his side to refuse to give adequate time, and the gentleman must also know that until debate has been entered upon it will be impossible to state just how much time will be necessary for a proper consideration of the subject. I think he will find no more time will be consumed by going on in the usual way than would be if an agreement were made; and that he had better leave the matter to be guided by circumstances.

Mr. McKINLEY. Will an hour be sufficient for gentlemen on that side?

Mr. BRECKINRIDGE, of Arkansas. It may not take an hour and it may be necessary to take a little more; therefore, as I said at first, I think the gentleman had better enter upon general debate and be guided by circumstances.

Mr. McKINLEY. Mr. Speaker, when I called up this bill I had expected, from conversations I had with gentlemen on the other side, that we should be able to make an arrangement to limit the time for debate. I do not desire now to interrupt the progress of the appropriation bill under consideration, and because of the uncertainties as to the time to be taken for the consideration of this bill I will withdraw the motion.

Mr. TURNER, of Georgia. Mr. Speaker, I want to say in justice to myself and the gentleman from Ohio that I would be glad, so far as I am personally concerned, that very little time should be occupied in general debate; but I have no authority to speak for other gentlemen who may desire to be heard on the bill. I avail myself of the further opportunity to say that the gentleman from Ohio has been very courteous in the matter.

Mr. McKINLEY. I have postponed this from day to day for the convenience of gentlemen on the other side.

Mr. MILLS. I do not want more than five minutes so far as I am concerned.

Mr. McKINLEY. I ask the gentleman from Texas if we can not now fix the time for general debate?

Mr. McMILLIN. Mr. Speaker, I think it is just to myself to state that, as I am probably one of the gentlemen to whom the gentleman from Ohio refers when he speaks of consultations with members on this side, he will bear me out in the statement that, so far as I am concerned, I gave him to understand neither by word, act, nor deed that there should be a limitation or that there would be assent on our side to hamper or restrict debate; and hence, if he has been misled, he has certainly not been misled through my statement to the contrary. For a matter so important as this I think it is well that it should be calmly and judiciously discussed and considered. There is no disposition to improperly impede the progress of this measure, nor would I be a party to an improper shortening of debate.

Mr. McKINLEY. Can the gentleman name any time that he thinks would be full and ample?

Mr. McMILLIN. I can not, because a number of gentlemen have indicated that they desire to speak on cognate subjects; and I think that the gentleman's best course would be to enter upon its consideration and take the consequences as they may arise.

Mr. McKINLEY. Then I withdraw the motion.

Mr. BRECKINRIDGE, of Arkansas. If the gentleman will permit me a moment. As the gentleman has alluded to conversations had with members on this side, I will state that everything that I have said to him has been strictly in accord with what I have said here on the floor. [Cries of "Regular order!"]

Mr. McKINLEY. I withdraw the motion.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 17) to remove the charge of desertion from the record of Michael Meskill;

A bill (H. R. 1150) for the relief of Andrew Schneider;

A bill (H. R. 1423) to correct the military record of William E. Crouse;

A bill (H. R. 4809) for cancellation of contract with United States

engineer for delivery of stone for the improvement of the mouth of the Columbia River, in Oregon and Washington;

A bill (H. R. 6921) for the relief of Charles H. Kellen;

A bill (H. R. 9193) to give consent of Congress to the construction of a bridge over the Duck River, in Humphreys County, Tennessee;

A bill (H. R. 11391) for the construction and completion of suitable school buildings for Indian industrial schools in Wisconsin and other States;

A bill (H. R. 11587) for the relief of Duncan D. Cameron, late first lieutenant Ninth United States Colored Troops;

A bill (H. R. 11766) to correct the military record of Marcellus Pettitt;

A bill (H. R. 12042) to authorize the construction of a tunnel under the waters of the bay of New York, between the town of Middletown, in the county of Richmond, and the town of New Utrecht, in the county of Kings, in the State of New York, and to establish the same as a post road; and

A bill (H. R. 12640) to pension Sarah Thomasson.

The message also announced that the Senate had passed the bill (H. R. 12227) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1892, and for other purposes, with amendments in which the concurrence of the House was requested.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6975) to provide for an additional associate justice of the supreme court of Arizona.

The message also announced that the Senate had passed bills of the following titles; in which concurrence of the House was requested:

A bill (S. 4126) for the relief of Elizabeth Jones, widow of John Jones, deceased;

A bill (S. 4212) for the relief of Henry E. Rhoades;

A bill (S. 4472) for the relief of Charles B. Stivers;

A bill (S. 4627) to establish a marine board for the advancement of the interests of the merchant marine;

A bill (S. 4754) to amend act authorizing Choctaw Coal and Railway Company to construct road through Indian Territory;

A bill (S. 4885) to provide for the purchase of a site and the erection of a public building thereon at Westerly, in the State of Rhode Island etc.; and

A bill (S. 4906) authorizing the Secretary of War to cause an exploration and survey to be made of the interior of the Territory of Alaska.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3770) to incorporate the Washington and Arlington Railway Company of the District of Columbia, asked a conference with the House on the bill and amendments, and had appointed Mr. HIGGINS, Mr. McMILLAN, and Mr. DANIEL as said conferees on the part of the Senate.

#### FORFEITURE OF RAILROAD LAND GRANTS.

The SPEAKER laid before the House the bill (S. 4814) to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes."

The SPEAKER. The question is on the amendment submitted by the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, I will withdraw that amendment and propose in lieu thereof the one which I send to the desk.

The Clerk read as follows:

Insert in line 9 of the printed bill, after the word "thereby," the following: "or to make, or move to perfect, any homestead entries which are preserved or authorized under said act."

Mr. HERBERT. I have conferred with the gentleman from Illinois [Mr. PAYSON] and the gentleman from Indiana [Mr. HOLMAN], representing opposite sides of the Committee on Public Lands, and there is, so far as I know, no objection to this amendment. It will simply carry out the intent of the bill.

The SPEAKER. The question is on the amendment proposed by the gentleman from Alabama.

Mr. HERMANN. I desire to make an inquiry of the gentleman from Alabama. What is the necessity of putting in this qualifying phrase if the object is merely to extend the time for filing?

Mr. HERBERT. It is required for the reason that the bill as it comes to us from the Senate upon a critical reading does not appear to apply to homestead settlers—does not give them six months, but gives it only to purchasers. The original act applies not only to purchasers, but to certain homestead settlers.

Mr. HERMANN. And this is merely to carry out the full intent of the original act.

Mr. HERBERT. That is the sole purpose of the amendment.

The amendment was agreed to.

Mr. PAYSON. Mr. Speaker, I have an amendment that I offered at the time the bill was presented, and I ask that it be read.

The amendment was read, as follows:

At the end of the bill, after the word "lands," insert the following: "Provided, That nothing herein shall extend any time or enlarge any rights given by said act to any railroad company."



The amendment was agreed to.

Mr. CARTER. Mr. Speaker, I desire to offer an amendment.

Mr. HOLMAN. Before the gentleman from Montana offers his amendment I wish to correct a typographical error. The word "run" seems to be omitted from the printed bill, after the words "beginning to."

The SPEAKER. It is in the engrossed bill.

Mr. HOLMAN. That is all right.

Mr. CARTER. I offer the amendment which I send to the desk.

The amendment was read, as follows:

Amend by adding to the bill the following:

"That without regard to any classification made by surveyors of public land, in order to determine what lands may lawfully be selected, certified, or patented, under grants made by Congress to each and every of the several land-grant railroads of the United States, and to which patent has not heretofore issued, such railroad company or corporation shall, by its agent thereto authorized in writing, file with the register and receiver of the land office in which such land is situated an affidavit that the land claimed or selected and each legal subdivision thereof is nonmineral in character, as contemplated by the grant, and that the affiant has made a personal inspection of every legal subdivision of the same, and that he is qualified by practical experience and knowledge of the mineral lands of such State or Territory to determine the mineral or nonmineral character of land therein, and thereupon the register and receiver of the land office in which such land is situated shall, on payment in advance by the company seeking patent of the cost thereof, cause to be published in a newspaper of general circulation, published nearest the land so claimed or selected, for four successive weeks, a notice that such affidavit has been filed, and at any time within thirty days thereafter any citizen of the State or Territory within which said land is situated may deny the allegation of nonmineral in said affidavit upon oath; and thereupon the same proceedings shall be had and obtain as in other contested cases, including the right of appeal by either party, but the burden of proving the nonmineral character of the land shall be upon the railroad company; and in all such contests it shall be sufficient to reject the claim or selection of any railroad company if it appears from the proof that the land contains veins or lodes of mineral-bearing matter or indications of the presence of mineral, which does not pass by the grant, whether it has been worked or not, or whether it will pay or not to work at the time of the contest. As between the railroad company and the Government or any claimant under the mining laws any and all land that bears mineral which does not pass by the grant, in such appreciable quantities as to render it in any sense valuable so as to be likely to be sought out or explored for its mineral qualities, shall be considered within the exception made by Congress and shall be considered mineral lands, and no patent or other evidence of title shall be delivered under any land grant reserving mineral lands until the proof and notice herein required shall have been made and approved."

Mr. PAYSON. I make a point of order against the amendment just read, that it is not germane to the bill or any amendment thereto.

Mr. HOLMAN. I hope the gentleman from Illinois will not press that point of order. This is substantially the provision contained in the general land bill passed at the last session.

Mr. PAYSON. I was about to say that the proposition contained in the amendment of the gentleman from Montana meets my entire approval as a provision proper to be enacted into law; but this is a Senate bill, and if it shall be loaded down here with amendments, however proper they may be, the final passage of this bill in another place will, in my judgment, be jeopardized, and the subject-matter of the bill as it comes to us from the Senate is of such overwhelming importance to hundreds, not to say thousands, of poor people who have settled upon lands which were embraced within the forfeiture bill of the last session, that in their behalf and to prevent any possibility of the failure of the passage of the Senate bill, I insist upon the question of order as against this amendment. I approve of the amendment as a distinct proposition; but this is not the proper place for us to attempt its enactment.

Mr. HOLMAN. I trust the gentleman will hear me a moment. Unless this provision be passed during the present session of Congress, the larger portion of these patents will have been delivered. All that this provision requires is that the railroad corporations to which these grants have been made shall, before the issue of patents, show that the lands are nonmineral lands. This is an exceedingly fair proposition; and my friend knows that unless this measure gets through during this Congress those patents will be issued and delivered before the next Congress meets.

Mr. PAYSON. Oh, no. On the contrary, the gentleman is quite mistaken as to the practice; for I am advised by nearly all the officers in the General Land Office that they require substantially this same kind of proof now as to land which may be supposed to be mineral land before any patent is issued in any event. I agree that this provision ought to be embodied into law; but this is not the place to attempt it when the result of ingrafting the provision on this bill at this stage of the short session may be the failure of this very important bill to become a law. I insist on the point of order.

The SPEAKER. The question is on the point of order.

Mr. CARTER addressed the Chair.

The SPEAKER. The Chair will hear the gentleman from Montana [Mr. CARTER].

Mr. CARTER. Mr. Speaker—

Mr. BIGGS. I hope we shall have order. It is impossible for us to hear what is being said.

The SPEAKER. Gentlemen will take their seats and the House will come to order.

Mr. COOPER, of Indiana. With the permission of the gentleman from Montana—

The SPEAKER. Gentlemen will please take their seats.

Mr. COOPER, of Indiana. I rise to a question of order.

The SPEAKER. Will the House please be in order?

Mr. COOPER, of Indiana. If the gentleman from Montana will allow me a moment, I desire, being a member of the committee from which this proposition comes, to suggest that this is a very important amendment, involving the title to millions of acres of Western lands; and I hope that the discussion of the matter will be heard without interruption.

The SPEAKER. The gentleman from Indiana [Mr. COOPER] adds his suggestion to the request of the Chair that the House will be in order.

Mr. CARTER. I call the attention of the Chair to the fact that this amendment is presented to a bill which proposes to supply a defect in the general land-forfeiture law passed at the last session of Congress. The fact is worthy of note, in connection with the point of order, that the bill does not propose to amend any particular section of the land-forfeiture law. It is general in its terms, applying to the conditions that may exist as to each and every section of the general law which the bill proposes to amend. It therefore follows, I take it, that if this amendment would have been germane to the general land-forfeiture bill at the time it was under consideration it is germane to this amendatory bill which proposes to modify the certain tenures of the forfeiture law.

That bill as passed dealt generally with the land grants heretofore made to corporations. It provided certain conditions under which the title might be perfected to lands granted, and also provided the conditions under which the forfeiture provided by the bill should operate. This proposition is perfectly germane to the manner of obtaining or perfecting title under any grant reserving mineral lands.

In the original grant to each railroad company, where mineral lands were reserved, there was this peculiar omission: Mineral lands were not defined, nor was any provision of law made under which any officer of the Government could determine what lands were excepted from the provisions of any grant.

Therefore it is manifest that, in order to make the reservation operative and effective, some additional legislation must necessarily be had, so that the executive officers may determine, first, what was excepted, and before they can thus determine some provision must be made with reference to examination and classification of the land or the submission by the company of proof as to what land was excepted or granted. Should the Government fail to show that any particular land was excepted, all the lands within the specified limits would pass.

Two or three conditions subsequent had to be complied with in order to make any land grant of which I have knowledge effective. In the first place, a floating title existed which became in some measure fixed by the location of the general route of the road.

When the general route was definitely fixed then the exterior limits became in a general way known. But an actual survey of the land was essential to enable the Government and the company to designate the odd and the even sections, so as thus to determine what lands passed to the company and what lands were reserved. A step further must be taken in connection with the reservation of mineral lands, and that is to determine in the odd sections what was and what was not mineral.

Now, there is no provision of law extant authorizing any officer of the Government in any manner or form to investigate or determine that question of fact. There is no mode of determining it provided by law. This general bill, passed at the last session of Congress, was in the nature of an effort by Congress to quiet these titles; and, inasmuch as it sought to quiet all titles, any provision necessary to determine what lands passed by the granting act and what lands are reserved must necessarily be considered germane to the bill.

The pending bill limits the time within which homestead filings may be made after forfeited land is thrown open to settlement. This provision does not apply to any particular section of the law. It applies to every part, to the law generally.

The SPEAKER. But does the gentleman from Montana think that an amendment to a particular provision of the Revised Statutes would make germane any amendment to the rest of it?

Mr. CARTER. I think, Mr. Speaker, where a chapter in the Revised Statutes relating to a subject, from the beginning to the end of the chapter, is sought to be amended by a general bill relating to every section, that any amendment germane to the subject-matter dealt with in that chapter is germane to the proposed general amendment thereof.

The amendment proposed by the pending bill relates to the forfeiture law generally.

Mr. HERMANN. But the object of this bill, I understand, has but one point in view solely and singly, and that is merely an extension of the time. It does not enter into the subject-matter of the original bill, but simply relates to the extension of the time. Now, your amendment proposes to enter into the entire subject-matter of the bill, its details and *modus operandi*, and has no reference to the subject-matter of the pending amendment to that bill.

Mr. CARTER. This amendment proposes the determination of the rights of parties to file upon the lands within six months after the land is thrown open to settlement instead of a specified period after the passage of the act. That is, in substance, the proposition.



Mr. PAYSON. That is all there is in the bill.

Mr. CARTER. That is the purpose of the amendment practically; but it amends the law in general terms. The proposition I make to amend is not directed to any particular feature or section of the bill, but relates to the whole bill, in all of its features from beginning to end.

The SPEAKER. But the bill deals solely with the question of the limitation of time. The amendment would seem to go beyond that.

Mr. PAYSON. The bill deals solely with the question of time.

Mr. HOLMAN. If the Chair will allow me a moment. If the Chair will examine the fifth section of the act which this bill proposes to amend, it will be seen that certain lands, especially in the State of Oregon, would be affected by its provisions, and these lands are subject to be entered and purchased at \$2.50 per acre, within a period of one year from the passage of this act. Now, the effect of the pending bill, to which this amendment is proposed, is to extend that period so that instead of commencing with the passage of the act it would commence after the happening of certain other events herein provided for. This bill amends that section, that particular section; and I submit, therefore, that the pending amendment is germane to the original bill, and germane to the pending bill, as it seems to me, in the same manner, because it determines the amount of land that would be subject to entry at the \$2.50 rate, as provided by the fifth section of the original act.

I think, therefore, any amendment would be germane which determines the amount of land that might be affected by the proposed amendment to the original law. The importance of this is obvious to all gentlemen in view of the fact that some 5,000,000 acres of land are involved in the single State of Montana, as I understand.

Mr. CARTER. With the permission of the Chair I would like to have the privilege of saying to the gentleman from Illinois, who makes the point of order, that independent of his point of order, in view of the subject-matter of the amendment I propose, which is of vital importance, he will probably withdraw his objections after hearing my explanation on the merits.

Mr. PAYSON. But of course that does not bear upon the question of order.

Mr. CARTER. I do not so contend.

The SPEAKER. The question of order is still the pending question.

Mr. PAYSON. Mr. Speaker, perhaps I should have been a little more specific in making my objection in the first instance by calling attention to the proposition under controversy. The general forfeiture bill passed in the last session of Congress provided that as to certain characters of lands, which were in possession of parties claiming under the settlement law, they should have the right to perfect their entry within six months from the date of the passage of the act. That act became a law in September last. In order to effect the operations of the bill it became necessary to frame a set of instructions in the General Land Office for the guidance of the officers of the local land offices the country over. Owing to the pressure of business in that Department it was impossible for the Secretary of the Interior to prepare these instructions even down to this time. And the six months within which the settlers were to have the prior right of asserting their claims have now almost expired.

The Secretary of the Interior addressed a letter to the Senate, which was referred to the Committee on Public Lands of the Senate, recommending the passage of a bill changing the point of time at which the settlers' rights should commence to run. That is, that it should be six months from the date of the promulgation of such regulations as should be prescribed by the Interior Department, rather than six months from the passage of the bill; and, to meet that point and that point alone, the Senate bill was passed. The Senate bill therefore provides in terms that where the time, by the forfeiture act, begins to run from the date of the passage of the act, it shall be so amended that the time shall commence to run from the promulgation of the order of the General Land Office with reference to this subject-matter. Now, that is the whole scope of this bill, changing the initial point of time, and that alone. The amendment offered by the gentleman from Alabama [Mr. HERBERT] simply makes more clear and more plain the class of people who should be embraced within this provision and be entitled to have the benefits of it, and that is all.

Now comes the amendment offered by the gentleman from Montana [Mr. CARTER], which provides for a classification of mineral lands embraced in all the different grants in this country, whether affected by the forfeiture bill or not. It applies just as strongly to the lands of the Union Pacific Railroad Company as to those of the Northern Pacific Railroad Company, or to the lands of any other company, whether affected by the terms of the forfeiture bill or not, and is independent, broad, and comprehensive legislation upon the general subject of the classification, conveyance, and patenting of all lands in the Union the title to which has not yet passed by patent which may by any supposition be assumed to include lands of a mineral character, and therefore can not be held to be germane to a Senate bill which simply fixes a point of time different from that fixed by the other bill. If I have made myself understood, it is all I care to say.

The SPEAKER. The Chair can only consider, in determining the question whether the amendment be germane, the bill before the House and the proposition therein contained. The pending bill relates solely

to the time when a period named in the original act shall begin to run. The amendment proposed relates to a reclassification of lands, a subject so remote from that of the bill that it can be justified only by a claim that any amendment germane to the act proposed to be altered would be germane to this bill. But the very claim is its own answer. The test must be the bill before the House, for that is the bill which is to be amended.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. PAYSON moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

The corresponding House bill (H. R. 13103) was ordered to lie on the table.

#### PUBLIC BUILDING, ROANOKE, VA.

The SPEAKER laid before the House the following Senate bill with House amendments, on which a conference was asked on the part of the Senate:

A bill (S. 874) for the erection of a public building in the city of Roanoke, Roanoke County, Virginia.

The bill and amendments were read at length.

Mr. EDMUNDS. I move that the House insist upon its amendments and agree to the committee of conference asked for on the part of the Senate.

The motion was agreed to.

#### ESTATE OF GEORGE W. LAWRENCE.

The SPEAKER also laid before the House the following bill:

A bill (S. 3270) for the relief of the administratrix of the estate of George W. Lawrence.

The Clerk read as follows:

*Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to inquire into and determine how much the bill of the United States double-enders Agawam and Pontoosuc cost the contractor, George W. Lawrence, over and above the contract price and allowances for extra work, and to enter judgment in favor of Thankful Lawrence, administratrix of said George W. Lawrence: Provided, That the judgment shall not exceed the sum allowed by the board convened in pursuance of a resolution of the Senate of the United States dated March 9, 1863, of which Thomas O. Selfridge was the president, the said allowance being set forth in Senate Executive Document No. 18, Thirty-ninth Congress, first session.*

*Sec. 2. That at the hearing or on the trial of any suit so commenced either party, plaintiff or defendant, shall have the right to use before the court any testimony or documents which may be relevant to and competent upon the issues joined between the parties, and that the proceedings, trial, decision, and judgment of the said court shall be had in the same manner as in all other cases before the said Court of Claims, and have the same effect; and that either party, plaintiff or defendant, may appeal from the decision or judgment of the said Court of Claims to the Supreme Court of the United States in the same manner as now provided for in other cases.*

Mr. HOLMAN. Does that bill come before the House regularly?

The SPEAKER. It does.

Mr. HOLMAN. Is there a corresponding House bill?

The SPEAKER. A corresponding House bill, and action thereon.

Mr. THOMAS. I wish to offer an amendment to come in after the word "work," in line 7 of the printed bill.

The clerk read as follows:

After the word "work," in line 7 of the original bill, insert the following: "But no allowance for any advance in the price of labor or material shall be considered, unless such advance occurred during the prolonged time for completing the work rendered necessary by delay resulting from the action of the Government aforesaid, and then only when such advance could not have been avoided by the exercise of ordinary prudence and diligence on the part of the contractors."

Mr. McMILLIN. Mr. Speaker—

The SPEAKER. The gentleman from Wisconsin [Mr. THOMAS] has the floor.

Mr. HOLMAN. Mr. Speaker, a question of order.

Mr. McMILLIN. I wish to understand something about the nature of the bill. There has been no report read and no explanation of it. It seems to give the Court of Claims jurisdiction over a very important matter, and I would like to have an explanation of it.

Mr. THOMAS. I would like to state that this bill—

Mr. HOLMAN. Mr. Speaker, I raise a question of order. This provision now read was in the bill as reported to the House by the Committee on Claims, was it not?

Mr. THOMAS. Now, Mr. Speaker, the House bill and the Senate bill are exactly alike. This amendment is to meet an objection of the President to this class of bills. The object of the amendment is to compel the claimant to show affirmatively that the Government was at fault and that the claimant was not at fault. It is to perfect the bill, to make it more sure to do justice between the Government and the claimant.

The objection of the President is that the bill as it now stands, like some other similar bills, does not permit the Government to show that the complainant was at fault. This amendment requires that the claimant shall show affirmatively that the Government was at fault in the delay, and that the claimant was not at fault in any particular.

It is to perfect the bill in accordance with the objection the President has had to this class of bills.

Mr. McMILLIN. Mr. Speaker, I desire to ask the gentleman—



The SPEAKER. Does the gentleman yield to the gentleman from Tennessee?

Mr. THOMAS. I yield for a question.

Mr. McMILLIN. I wish to ask the gentleman in charge of the bill what amount is involved in this bill.

Mr. THOMAS. It is one of the smallest of all the amounts. There are two double-ender boats in question, and the Selfridge board found in each case there was due \$9,616.77. The amount is double that, provided the court finds in favor of the claimants. It is not to exceed that amount.

Mr. McMILLIN. I desire also to ask the gentleman whether this is one of those claims growing out of contracts for the construction of boats during the war.

Mr. THOMAS. It is; and is one of the very few cases in which the Selfridge board found in favor of the claimants.

Mr. McMILLIN. I would like to have the report read. That would show what foundation the claim has.

Mr. THOMAS. I ask to have the report read in my time.

The report was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 3270) for the relief of the administratrix of George W. Lawrence, have had the same under consideration and respectfully report:

George W. Lawrence, the decedent, on the 9th of September, 1862, entered into two agreements with the United States, through the Navy Department, for the construction of the hulls of two wooden double-enders, called the Agawam and Pontoosuc. The contract provided that the vessels should be launched within one hundred and twenty-six days, and then be delivered to the Government, who through other contractors would supply the machinery.

Fifty days were allowed for the attachment of the machinery; whereupon George W. Lawrence was to do that work which followed and was necessary to secure the machinery in place. The fifty days for the attachment of the machinery expired in the case of the Agawam on June 10, 1863, and in the case of the Pontoosuc on July 9, 1863. Through no fault of Mr. Lawrence or his agents, the machinery was not attached to the Agawam until December 9, 1863, and on the Pontoosuc until May 16, 1864. During this prolonged time the advance in the price of labor and material accompanied the rise in gold prices, and this delay imposed upon the contractor, through no fault of his, the loss resulting from purchase of material and the employment of labor at the enhanced prices. The contract price for each vessel was \$75,000.

Mr. Lawrence completed his vessels and delivered them to the Government. That they were satisfactory is manifest from the fact that his bills were entertained and considered by the Selfridge board, composed of Commodore Thomas O. Selfridge, Chief Engineer Alexander Henderson (succeeded July 8 by Montgomery Fletcher), and Paymaster C. H. Eldredge, which convened at the Brooklyn navy yard June 5, 1865, and continued in session for more than six months. This board convened under the following resolution of the Senate:

"IN THE SENATE OF THE UNITED STATES, March 9, 1865.

"Resolved, That the Secretary of the Navy be requested to organize a board of not less than three competent persons, whose duty it shall be to inquire into and determine how much the vessels of war and steam machinery contracted for by the Department in the years 1862 and 1863 cost the contractors over and above the contract price, and the allowance for extra work, and report the same to the Senate at its next session, none but those who have given satisfaction to the Department to be considered."

They reported, *inter alia* (see Senate Ex. Doc. No. 18, Thirty-ninth Congress, first session, pages 61-62), as follows:

"The board, after a critical examination of the bills of cost presented by the several contractors for vessels and steam machinery contracted for in the years 1862 and 1863, who have appeared and made sworn statements, has determined the excess of cost in the several cases over and above the contract price and allowance for extra work to be as follows:

Double-ender Agawam, wooden hull, G. W. Lawrence..... \$8,610.77  
Double-ender Pontoosuc, wooden hull, G. W. Lawrence..... 8,610.77

"All of which is respectfully submitted.

"THOMAS O. SELFDRIDGE,  
"Commodore and President of Board,  
"MONTGOMERY FLETCHER,  
"Chief Engineer.  
"CHAS. H. ELDRIDGE,  
"Paymaster.

"Hon. GIDEON WELLES,  
"Secretary of the Navy, Washington, D. C."

On January 31, 1866, this report was referred to the Committee on Naval Affairs of the Senate, who thereupon, March 22, 1866, reported a bill for the payment of the awards thus made. This bill, S. 220, first session, Thirty-ninth Congress, passed the Senate. In said report (No. 45, first session, Thirty-ninth Congress) the committee say:

"From June till December last, the board organized by the Secretary of the Navy, under the Senate resolution, composed of eminent officers of the Navy, was engaged in hearing evidence and investigating the claims of these parties. That investigation seems to have been fairly, carefully, and thoroughly made. It was by officers of the Department, and the award, which the committee believe to be substantially right, should be adopted as the basis of relief to the parties, and therefore the committee report the accompanying bill."

Your committee recognize the merits of the claim, but recommend to the Senate the accompanying substitute, which gives to the claimant the opportunity to go before the Court of Claims and prove how much the vessel cost the decedent, but limits the right of recovery to the sum found by the Selfridge board.

Hereto is appended a copy of the contract for the Agawam. The contract for the Pontoosuc, entered into the same day, is identical with it in all its provisions.

Mr. THOMAS. That is the substance of the report. The balance is the contract. [Cries of "Vote!" "Vote!"] Unless there are others who desire to discuss this bill, I shall ask for a vote.

Mr. KERR, of Iowa. I desire to make some remarks on the bill.

Mr. THOMAS. How much time does the gentleman desire?

Mr. KERR, of Iowa. Not exceeding five minutes.

Mr. THOMAS. I yield five minutes to the gentleman from Iowa.

Mr. KERR, of Iowa. Mr. Speaker, my objection to this bill, and to all others of a similar nature, is that it seeks to make the Government responsible for all the fluctuations in the value of the money of the Government where the rights of contractors were involved during the war.

Mr. DINGLEY. It is only where the Government caused delay by its own action.

Mr. KERR, of Iowa. The Government in its contracts reserved the right to make modifications, which, of course, involved delay. And any man who made a contract with the Government knew that it reserved the right to make those modifications which necessarily involved delay, and consequently the contractor was bound to know delay would be involved. As I said the other day, the Government has never been reimbursed in any case where the value of labor as compared with currency had decreased in the interest of contractors; and of course a corresponding obligation on the contractors to be responsible for the decrease in the purchasing power of money ought to be involved on the other side; but the contrary of this principle is involved in the position of this and all similar bills. I do not think the amendment meets the objection made in the veto message of the President.

Mr. BOUTELLE. Mr. Speaker, I think the gentleman from Iowa states the case rather strongly when he says that in these contracts the contractor took upon himself the responsibility of incurring any additional expense that would result from a modification made by order of the Government. That is not the case. Now, when the Government makes a contract the right is reserved on its part to make modifications within a certain limitation; otherwise they could not get a contract taken by anybody. They might ruin any contractor. In regard to another point the gentleman makes, that in no case has the Government received any reimbursement on account of the decreased cost of labor during the building of these vessels.

Mr. KERR, of Iowa. Or any other.

Mr. BOUTELLE. Or any other, as the gentleman suggests. There never has been such a case. Of course the current history of the war period was that labor constantly increased in price on account of the demand for men and work.

Mr. KERR, of Iowa. How about materials?

Mr. BOUTELLE. And the price of materials increased, because the contract was made that the Government was to pay so many dollars; and of course as the dollars depreciated in value the material increased in cost; and that was the case, I apprehend, to the very close of the war. As a matter of fact I understand these contractors were financially ruined by carrying out and completing these contracts.

The SPEAKER. The question is on agreeing to the amendment.

The question was put, and the amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The question was put; and the Speaker announced that the yeas seemed to have it.

Mr. THOMAS. Division.

The House divided; and there were—ayes 96, yeas 60.

So the bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was put; and the Speaker announced that the yeas seemed to have it.

Mr. ROGERS. Division, Mr. Speaker.

The House divided; and there were—ayes 97, yeas 77.

Mr. ROGERS. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was put, and there were—yeas 143, yeas 114, not voting 73; as follows:

YEAS—143.

Adams, Mich.	Culbertson, Pa.	McCord,	Scull,
Allen, Mich.	Cummings,	McKenna,	Sherman,
Arnold,	Daizell,	McKinley,	Simonds,
Atkinson, Pa.	Darlington,	Miles,	Smith, Ill.
Atkinson, W. Va.	Dingley,	Miller,	Smith, W. Va.
Baker,	Dolliver,	Milliken,	Smyser,
Banks,	Dorsey,	Moffitt,	Snider,
Bartine,	Dunnell,	Moore, N. H.	Spinola,
Bayne,	Evans,	Morey,	Spooner,
Beckwith,	Ewart,	Morse,	Stallnecker,
Belden,	Farquhar,	Mudd,	Stephenson,
Belknap,	Finley,	Niedringhaus,	Stivers,
Bergen,	Gear,	Nute,	Stockbridge,
Bingham,	Gest,	O'Donnell,	Stone, Pa.
Boothman,	Greenhalge,	O'Neil, Mass.	Struble,
Boutelle,	Grosvenor,	O'Neill, Pa.	Stump,
Bowden,	Grout,	Osborne,	Sweet,
Brewer,	Hall,	Owen, Ind.	Taylor, E. B.
Brickner,	Harmer,	Payne,	Taylor, Ill.
Brosius,	Haugen,	Payson,	Taylor, J. D.
Brower,	Hays, E. R.	Perkins,	Thomas,
Buchanan, N. J.	Henderson, Ill.	Peters,	Thompson,
Burton,	Hermann,	Post,	Townsend, Colo.
Butterworth,	Hill,	Pugsley,	Turner, Kans.
Caldwell,	Hitt,	Quinn,	Vandever,
Candler, Mass.	Kennedy,	Raines,	Van Schaick,
Cannon,	Ketcham,	Ray,	Waddill,
Carter,	Kinsey,	Reyburn,	Wade,
Caswell,	Lacey,	Rife,	Walker,
Chadler,	La Follette,	Rockwell,	Wallace, Mass.
Clark, Wyo.	Laidlaw,	Rowell,	Wallace, N. Y.
Cogswell,	Laws,	Rusk,	Wheeler, Mich.
Comstock,	Lehlbach,	Russell,	Wickham,
Cooper, Ohio	Lodge,	Sanford,	Wilson, Ky.
Covert,	McAdoo,	Sawyer,	Wright,
Craig,	McComas,	Scranton,	



## NAYS—114.

Abbott,  
Alderson,  
Anderson, Kans.  
Anderson, Miss.  
Andrew,  
Barnes,  
Biggs,  
Blanchard,  
Bland,  
Blount,  
Breckinridge, Ark.  
Breckinridge, Ky.  
Brookshire,  
Buchanan, Va.  
Candler, Ga.  
Carlton,  
Caruth,  
Chipman,  
Clancy,  
Clarke, Ala.  
Clements,  
Clunie,  
Cobb,  
Connell,  
Cooper, Ind.  
Cottrane,  
Crain,  
Crisp,  
Culberson, Tex.

Davidson,  
Dickerson,  
Dockery,  
Edmunds,  
Ellis,  
Fithian,  
Flood,  
Flower,  
Forman,  
Forney,  
Fowler,  
Geissenhainer,  
Goodnight,  
Grimes,  
Hare,  
Hatch,  
Hayes, W. I.  
Haynes,  
Heard,  
Hemphill,  
Henderson, N. C.  
Herbert,  
Holman,  
Hooker,  
Kelley,  
Kerr, Iowa  
Lane,  
Lanham,  
Lawler,

Lee,  
Lester, Ga.  
Lester, Va.  
Lewis,  
Mansur,  
Martin, Ind.  
Martin, Tex.  
McClammy,  
McClellan,  
McCreary,  
McMillin,  
McRae,  
Mills,  
Montgomery,  
Moore, Tex.  
Mutchler,  
Norton,  
Oates,  
O'Ferrall,  
O'Neill, Ind.  
Outhwaite,  
Owens, Ohio  
Parrett,  
Paynter,  
Peel,  
Pennington,  
Perry,  
Pierce,  
Pindar,

Price,  
Richardson,  
Robertson,  
Rogers,  
Sayers,  
Seney,  
Shively,  
Skinner,  
Springer,  
Stewart, Tex.  
Stone, Mo.  
Tarsney,  
Tillman,  
Tucker,  
Turner, Ga.  
Turner, N. Y.  
Vaux,  
Wheeler, Ala.  
Whitelaw,  
Whitthorne,  
Wike,  
Wiley,  
Wilkinson,  
Willcox,  
Williams, Ill.  
Williams, Ohio  
Wilson, W. Va.

## NOT VOTING—73.

Allen, Miss.  
Bankhead,  
Barwig,  
Bliss,  
Boatner,  
Brown, J. B.  
Browne, T. M.  
Browne, Va.  
Brunner,  
Buckalew,  
Bullock,  
Bunn,  
Burrows,  
Bynum,  
Campbell,  
Catchings,  
Cheatham,  
Clark, Wis.  
Coleman,

Cowles,  
Cutcheon,  
Dargan,  
De Lano,  
Dibble,  
Dunphy,  
Enloe,  
Featherston,  
Fitch,  
Flick,  
Frank,  
Funston,  
Garry,  
Gibson,  
Gifford,  
Hansbrough,  
Henderson, Iowa  
Hopkins,  
Houk,

Kerr, Pa.  
Kilgore,  
Knapp,  
Langston,  
Lansing,  
Lind,  
Magner,  
Malsh,  
Mason,  
McCormick,  
McDuffie,  
Morgan,  
Morrill,  
Morrow,  
Phelan,  
Pickler,  
Quackenbush,  
Randall,  
Reed, Iowa

Reilly,  
Rowland,  
Stewart, Ga.  
Stewart, Vt.  
Stockdale,  
Stone, Ky.  
Sweeney,  
Taylor, Tenn.  
Townsend, Pa.  
Tracey,  
Washington,  
Whiting,  
Wilson, Mo.  
Wilson, Wash.  
Yardley,  
Yoder.

So the bill was passed.

Mr. McCLAMMY. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman listening at the time his name should have been called and did he fail to hear it?

Mr. McCLAMMY. Yes, sir.

Mr. McCLAMMY's name was called and his vote recorded.

Mr. LANHAM. Mr. Speaker, I am paired with the gentleman from Michigan [Mr. CUTCHEON] until the 9th of this month, reserving, however, the right to transfer the pair. I have this morning transferred it to my colleague [Mr. KILGORE], and therefore I have voted.

Mr. RAY. Mr. Speaker, I desire to vote.

The SPEAKER. Upon what ground does the gentleman make the request?

Mr. RAY. I was in my seat and failed to hear my name called.

The SPEAKER. Was the gentleman listening at the time his name should have been called?

Mr. RAY. Yes, sir.

The SPEAKER. The Chair is informed that the gentleman is recorded in the affirmative. [Laughter.]

The following-named members were announced as paired until further notice:

Mr. McCORMICK with Mr. REILLY.

Mr. TOWNSEND, of Pennsylvania, with Mr. STONE, of Kentucky.

Mr. HOUK with Mr. ENLOE.

Mr. CLARK, of Wisconsin, with Mr. BULLOCK.

Mr. YARDLEY with Mr. DARGAN.

Mr. CUTCHEON with Mr. KILGORE.

Mr. HENDERSON, of Iowa, with Mr. STEWART, of Georgia.

Mr. WILSON, of Washington, with Mr. BUNN.

Mr. PICKLER with Mr. MORGAN.

Mr. BROWNE, of Virginia, with Mr. COWLES.

Mr. BLISS with Mr. WHITING.

Mr. DE LANO with Mr. ROWLAND.

Mr. STOCKDALE with Mr. REED, of Iowa.

Mr. FRANK with Mr. ALLEN, of Mississippi.

The following for the rest of this day:

Mr. BURROWS with Mr. BOATNER.

Mr. RANDALL with Mr. GIBSON.

Mr. TAYLOR, of Tennessee, with Mr. WASHINGTON for three days.

Mr. McDUFFIE with Mr. BANKHEAD, for ten days, except on the silver bill.

The result of the vote was then announced as above recorded.

The House bill of like import (H. R. 1566) was laid on the table.

## ENROLLED BILLS SIGNED.

Mr. KENNEDY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 139) for the relief of James H. Smith, late postmaster at Memphis, Tenn.;

A bill (S. 1074) for the relief of John Hollins McBlair; and

A bill (S. 4937) granting to the Umatilla Irrigation Company a right of way through the Umatilla Indian reservation, in the State of Oregon.

## POST-OFFICE APPROPRIATION BILL.

Mr. BINGHAM, from the Committee on the Post Office and Post Roads, reported a bill (H. R. 13511) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1892, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. HOLMAN. Mr. Speaker, I desire to reserve all points of order.

The SPEAKER. All points of order are reserved.

## SUNDRY CIVIL BILL.

Mr. CANNON. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole for the further consideration of general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAYSON in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the pending bill, being a bill (H. R. 13462) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1892, and for other purposes.

The pending question is the question of order upon the amendment proposed by the gentleman from Missouri [Mr. BLAND].

Mr. BUTTERWORTH. Mr. Chairman—

The CHAIRMAN. The Chair is prepared to decide the question. [Cries of "Rule! Rule!"]

The amendment proposed by the gentleman from Missouri [Mr. BLAND] is as follows:

After the word "dollars" in line 2, page 43, insert the following:

"Provided, That all holders of silver bullion of standard weight and fineness shall be entitled to have the same coined into standard silver dollars on the same terms and conditions as now provided by law for the holders of gold bullion."

This amendment is proposed to a paragraph in the pending bill, which reads as follows:

Recoinage of gold and silver coins: For recoinage of gold and silver coins in the Treasury, to be expended under the direction of the Secretary of the Treasury, \$20,000.

The gentleman from Maine [Mr. DINGLEY] makes the point of order that the amendment is not in order under the rules of the House for two reasons: First, because it changes existing law and, further, because it is not germane to the pending paragraph. In the judgment of the Chair the question involved is purely a question of the construction of one of the rules of the House.

The argument which has been made in opposition to the point of order is based upon the assumption, which is really the basis of the whole contention, that the pending paragraph in the bill which appropriates \$20,000 for recoinage of gold and silver coins in the Treasury is in itself a change of existing law. With this view of the case the Chair does not concur. The Revised Statutes, in cases to be cited presently, impose the duty on the Secretary of the Treasury, in very many different instances, of causing gold and silver coins in the Treasury to be recoined.

Section 2366 of the Revised Statutes provides that "gold coins of Great Britain and other foreign coins," without regard to whether they are gold or silver, shall be received in all payments on account of sales of public lands at the value estimated for them annually by the Director of the Mint and proclaimed by the Secretary of the Treasury, pursuant to section 3464 of the Revised Statutes. This is one source of revenue which may be and is paid into the Treasury partly in foreign coin, either gold or silver.

Section 1722 of the Revised Statutes requires the consular officers of the United States in the Dominion of Canada to receive foreign coins for all official fees at the rate given by the Treasury schedule of the value of such coins. And of course where the salary of the consular office is provided by law, all fees above that amount are turned into the Treasury Department. These coins are made legal tender by section 1722 to the extent that they are thus paid.

Section 3565 provides for all payments by or to the Treasury either here or in foreign countries on the basis of the pound sterling or the sovereign. Provision is made for ascertaining the value of that unit and for the making of payment on the value thus established.

Again, section 3566 provides that "all foreign gold or silver coins received in payment for moneys due the United States shall, before being issued in circulation, be coined anew."

Section 3567 provides that the quarter, eighth, and sixteenth of either the Spanish silver dollar or the Mexican silver dollar shall be received at the Treasury Department, at the post offices, and at all land offices for public dues at specified values; and section 3568 makes provision for the recoinage of all such silver received under either of these provisions.

Section 3505 provides for the reception by the Treasury of all



abraded gold coins; and section 3512 provides in terms for the recoining of such coin which is deficient in value by reason of such abrasion.

Again, the statute provides a certain limit of tolerance as to all coins issued from the mints, and which may be received at the Treasury; so that when the value of any coins, either gold or silver, has been reduced either by reason of use, abrasion, or otherwise below the limit of tolerance fixed in the coinage act, those coins are received—

Mr. BLAND. I would be glad if the Chair would recite any statute which provides for the recoining of abraded silver coin. The provision to which the Chair has referred applies to gold coin.

The CHAIRMAN. The section of the statute to which the Chair has just referred does refer, as the Chair has stated, to gold coin only. But the Chair is now stating that the coinage act provides a limit of tolerance, so that coins the loss on which exceeds the limit of tolerance shall not be issued from the Mint. And the practice has been uniform, as the Chair is advised by Treasury officials to-day, that whenever coin which has been received, no matter whether gold or silver, which is below the limit of tolerance fixed in the coinage act, and such coins by provisions of existing law are not legal tender for their full face value—the practice has been uniform in the ordinary administration of affairs since the organization of the Mint to transmit such coins to the different mints and have them recoined. There is no provision of existing law for that exact performance of duty; but the Chair states it as a part of the history of this matter, and for which such appropriations as this have been annually made and used.

Mr. BLAND. The Chair will allow me to say that there is no law for it.

The CHAIRMAN. The Chair is so stating; no express provision of law, but continued practice, recognized by annual appropriations by Congress.

Mr. BLAND. The Treasury Department has certified that fact to Congress in an official report.

The CHAIRMAN. The Chair states explicitly that he has been unable to find any statute authorizing in terms that proceeding. But the Chair is stating simply what has been the uniform practice as the Chair is advised by Treasury officials this morning.

Returning to the statutes, the act of March 3, 1887, providing for the retirement of the trade dollar, provides that—

For the period of six months after the passage of this act, United States trade dollars, if not defaced, mutilated, or stamped, shall be received at the office of the Treasurer or any assistant treasurer of the United States in exchange for a like amount dollar for dollar of standard silver dollars or any of the subsidiary coins of the United States; that trade dollars received, paid to, or deposited with the Treasurer, etc., shall not be paid out or in any manner issued, but at the expense of the United States shall be transmitted to the coinage mint and recoined into standard silver dollars, etc.

These provisions, in the view of the Chair, clearly impose on the Secretary of the Treasury the duty of recoining of certain gold and silver coins; and the pending paragraph in this bill only makes provision for the expenses of that work, not to exceed \$20,000 for the next fiscal year. The Chair desires the committee to expressly notice that not only does this paragraph not change existing law, but if it should be passed in the form in which it now is in the bill existing law will be continued for the next fiscal year exactly as it has stood for many years. This paragraph is really only a re-enactment of the provision in many late appropriation bills, and really only makes provision, as should be done in a general appropriation bill, for the expenses of carrying out the purposes and duties imposed by the statutes, which the Chair has cited, on the Secretary with regard to the recoining of gold and silver coins.

Before a dollar of this appropriation can be used the Secretary must have in the Treasury some coin of the character authorized by law to be recoined; if he has, and desires to put it in circulation, the Revised Statutes direct him to cause it to be recoined; and this paragraph regularly and properly provides the means for the performance of statutory duty by an executive officer, by being in a general appropriation bill.

The amendment proposed by the gentleman from Missouri [Mr. BLAND] clearly proposes to change existing law by substituting free coinage of silver for the present coinage laws as to the use of that metal; and the question is, is this in order on the pending paragraph?

A paragraph in clause 2 of Rule XXI provides:

Nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

This rule is as obligatory upon the Chair as a statute, and compels the holding that the amendment proposed by the gentleman from Missouri [Mr. BLAND] is not in order to this paragraph of the bill.

It may not be improper for the Chair to state that the argument so warmly pressed by several gentlemen in opposition to the point of order, of the necessity for the legislation proposed by the amendment offered by the gentleman from Missouri [Mr. BLAND] in the present financial condition of the country, could only be considered in case the point of order was one of doubt in the mind of the Chair, when the benefit of the doubt might properly be given to whatever view the Chair might entertain of the benefit of the proposed legislation, if he did not submit it to the committee for its judgment.

But in this case the Chair is perfectly clear as to the proper construc-

tion of the rule and its application to the proposed amendment, and therefore does not consider that phase of the question.

Equally clear does it seem that the amendment is not germane.

The paragraph pending only relates to the expenses of recoining gold and silver coins in the Treasury, coins which are money and have been duly received at the Treasury as cash under existing law.

This amendment proposes new coinage of all silver bullion presented and on account of the holder of the bullion, instead of on account of the Government as now provided by law, an entire revolution in the coinage laws relating to silver. This, under the rules of the House, can not be done in this way, as an amendment to a proper provision in a general appropriation bill.

The point of order made by the gentleman from Maine [Mr. DINGLEY] is sustained.

Mr. BLAND. With all due respect to the Chair, I wish to take an appeal from the decision just rendered and call attention to the fact—

The CHAIRMAN. The Chair will interrupt the gentleman to say that technically on an appeal debate is not in order; but the Chair will state the question to the committee, after which the gentleman will be recognized. The gentleman from Missouri appeals from the decision of the Chair, and the question now is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. BLAND. I wish to call attention to this fact, Mr. Chairman, in connection with the decision just rendered—

Mr. GROSVENOR. If there is to be debate on this question both sides will want to be heard.

The CHAIRMAN. Undoubtedly.

Mr. BLAND. There never was a denial of debate on an appeal.

The CHAIRMAN. Nor will there be a denial here. The gentleman from Ohio simply submitted a request that both sides be heard on the appeal.

Mr. McMILLIN. This question is certainly debatable.

Mr. ROGERS. I rise to a parliamentary inquiry, whether or not an appeal from the decision of the Chair is not debatable.

The CHAIRMAN. The Chair thinks so.

Mr. ROGERS. So I thought.

Mr. BLAND. The Chair will bear in mind, and every other gentleman here, when I invite attention to the fact that there is no statute—none has been cited by the Chair, nor is there any in existence—that provides for the recoining of domestic silver coin—no provision whatever covering that point. That the Chair does not dispute—it is indisputable, because it is a fact; and I challenge any gentleman here to find a single statute anywhere providing for the recoining of that character of silver.

Now, all of the statutes cited by the Chair in the decision just rendered provide for the recoining of foreign silver coin, because the law in regard to foreign silver was changed by Congress. Formerly foreign silver coins were made legal tender at the value to be fixed by Congress. They were a legal tender, the same as domestic silver coins, at whatever value Congress saw proper to put upon them. That law was repealed, however, and hence there was necessity for the Director of the Mint or the Secretary of the Treasury having power to authorize the recoining of such coins into our domestic coin for circulation.

Mr. WHEELER, of Alabama. Mr. Chairman, this is an exceedingly important question, and it is utterly impossible, in the confusion prevailing, to hear what the gentleman is saying.

Mr. BLAND. I was saying that originally these foreign coins, at the value fixed by Congress, were a legal tender for all debts, public or private, the same as our domestic coin. But Congress changed that law, and when it was done it also empowered the Secretary of the Treasury to authorize the recoining of the foreign silver coin, and hence the sections which I have now before me, and which were cited by the Chair from the statutes, and as admitted by him, do not refer to domestic but to foreign coin.

The statutes provided that foreign coin when it went into the Treasury should be transferred to a specific account and recoined into American coin and would then become legal tender, the same as our domestic coin and subject to issue the same as our domestic coin. But nowhere can there be found a law, and the Chair can not cite a statute or a section of the law, authorizing the domestic silver coins of this country to be recoined.

As I have stated before on the floor, the Secretary of the Treasury has repeatedly called the attention of Congress to the fact that there was no such law; and bills have been reported to the House from the Coinage Committee session after session to remedy the evil. The evil complained of is that mutilated or abraded silver coins and coins below the tolerance, that they did not desire to pay out, could not be recoined because there was no law authorizing it.

Now, the Chair has said that this morning he had a conversation with the Director of the Mint and that the Director stated that it had been the practice of the Mint to recoin this abraded, mutilated, and worn-out silver coin. It has only been the practice to do that in so far as the appropriation bill authorizes, and not beyond it. An appropriation bill is not a general statute in this country; and no statement of the Director of the Mint, coming before this House to alter or amend a



statute in order to defeat an amendment on this bill, ought to receive the sanction of the committee.

We are not in the habit of construing amendments offered to an appropriation bill simply on a statement of the Director of the Mint to the Chairman of this committee and conveyed by the Chairman to the committee. That is an unheard-of undertaking to perpetrate upon the committee. The idea of the Director of the Mint making a law or practice which would defeat appropriations by Congress, and which has the force of a statute, when there is no law to sustain him, is an unheard-of undertaking in our system of legislation. No such proposition was ever made before a committee so long as I have been a member here, as far as I know; and it only shows the absolute stress to which those opposed to this amendment were driven to prevent action upon it.

Now, what is the bill, and what is the proposed amendment?

For recoinage of gold and silver coins—

Not confined to foreign coins at all, as the statute is, but it goes beyond the statute; absolutely new legislation in every sense of the word—

For recoinage of gold and silver coins in the Treasury, to be expended under the direction of the Secretary of the Treasury, \$20,000.

No limit, no restriction, no matter whether they be foreign or domestic coins, but all kinds; so that taking the statement of the Chair itself, and the statement of the Director of the Mint, it does not meet the proposition of this paragraph, because this goes far beyond the statute cited, and in fact it is not confined to foreign coins at all, nor to abraded coins, nor to coins below the tolerance.

I repeat, then, that taking the statement of the Chair and the statement of the Director of the Mint, they do not meet the propositions of this paragraph. Admitting all they say to be true, and it is not, so far as the law is concerned, the statute falls short of this paragraph, for this absolutely gives the Secretary discretion to recoin every dollar of gold and silver in the Treasury without distinction as to whether it be mutilated or abraded or whether it be subsidiary coin or full legal tender. Broad in its scope and in its language, it proposes to recoin the gold and silver coin now in the Treasury.

There are over \$300,000,000 of American standard silver there now that can be recoined under that provision, and every gold dollar in the Treasury can also be recoined under it. Why? Because there is no provision here restricting it. It is simply to recoin gold and silver coin now held in the Treasury; it is not limited to any special kind of coin, mutilated, abraded or subsidiary; and the statement of the Director of the Mint does not obviate the difficulty in this case, for here is a provision that goes to the extent of authorizing the Secretary of the Treasury, in his discretion, to remelt and recoin every dollar in the Treasury, gold or silver. This is not only a change of existing law, but it is a dangerous change.

As I stated yesterday, I should have opposed this provision and will oppose it now, unless I can ingraft something upon it for the benefit of the people of this country. I am unwilling to give the Secretary of the Treasury the enormous power under this paragraph of remelting and recoinage every dollar in the Treasury, unless I can have coupled with it the larger boon, the demand for which is being pressed upon Congress by the great mass of the laboring people of this country, that we shall have free and unlimited coinage of silver in order to give them the money which is so much needed in business enterprises and among the great mass of the people who are dependent upon a sufficient circulating medium for their prosperity. In order to obtain that good I am willing to accept whatever evil there may be in the provision reported by the committee.

This Committee of the Whole must see that the Chair is utterly misled, utterly mistaken, utterly unable to find a single statute authorizing the recoinage of one dime of domestic silver coin. Such a power does not exist, and this is clearly a change of existing law.

A word on the other objection to the amendment, that it is not germane. Why, sir, the whole subject of coinage is opened up by the provision of this bill. The bill brings here the subject of the coinage of gold and the coinage of silver. Now, if the Committee on Appropriations can report a paragraph here upon the subject of the coinage of gold and silver, certainly this Committee of the Whole has the right by way of amendment to extend that provision for coinage. The amendment is germane because it refers to nothing but coinage, the coinage of the standard silver dollar. There is nothing else in it. It is confined to that particular subject.

This paragraph as reported here is new legislation. No objection is made to it by any member of the committee; no point of order is made upon it. It comes up to be considered by the Committee of the Whole. In what position is it then? Its consideration and amendment are regulated by the rules of the House, one of which provides—

When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order; and it shall be in order to offer further amendments by way of substitute, etc.

What does that mean? It is not confined to any particular motion. Here we have one of the standing rules providing that when we have a proposition under consideration amendments are in order. The Committee on Appropriations have reported this bill with this paragraph

in it. It is presented to this Committee of the Whole for consideration, and like other propositions it is amendable by the Committee of the Whole, amendable by any motion that is germane to it. And certainly it can not be seriously contended that when a proposition for coinage in any shape or manner is presented to the Committee of the Whole, when that particular subject is brought before us, the Committee of the Whole has not the power to amend such a paragraph of an appropriation bill.

If that were so the Committee on Appropriations might report a particular change in existing law upon which no point of order might be made and then when it came before the Committee of the Whole for consideration it might be held that the report of the Appropriations Committee could not be amended. Such a view would set that committee above the Committee of the Whole and above the House itself, giving the Committee on Appropriations absolute authority at their own sweet will to report in a bill propositions not subject to amendment or revision.

Mr. CASWELL. There is one point which I would like the gentleman to explain. The proposition in the bill is confined to an appropriation for the recoinage of money which the Government has in its possession. The proposition of the gentleman's amendment is to authorize the coinage of silver bullion owned by private parties. I would like the gentleman to explain how he disposes of this difference.

Mr. BLAND. As I have already stated, the main proposition here, the foundation of this paragraph, is the subject of the coinage of gold and silver, and my amendment simply extends the provision on that subject. The question is before the Committee of the Whole; we have gone into the question of coinage of both gold and silver; and how can it be claimed that the Committee on Appropriations can confine the Committee of the Whole in its power of amendment except so far as to require that the amendment shall have relation to coinage? This paragraph relates to coinage; the amendment relates to coinage, and is consequently germane. There can be no escape from that proposition.

Now, Mr. Chairman, in summing up I want to say I have called attention to the fact, and it can not be denied, that there is no law in existence to sustain the Chair, authorizing the Secretary of the Treasury to recoin domestic silver. The Chair admits that, but this provision does authorize it absolutely and without condition. So there is a change of existing law. It is new legislation.

Not desiring to detain the committee further upon this question, having, as succinctly as I possibly could, stated the position that we occupy on it, I hope the committee will overrule the Chair, and that this great measure of the free coinage of silver may have free opportunity for debate and amendment and consideration in this House, as demanded by the whole country.

Mr. CANNON. Mr. Chairman, I would be glad if we could now have a vote. [Cries of "Vote!" "Vote!"]

Mr. KERR, of Iowa. Mr. Chairman, I want to state just one proposition.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] has the floor.

Mr. KERR, of Iowa. I just wish to say a word.

Mr. CANNON. If my friend will allow me, the trouble is that somebody else will want to say a word. I appeal to my friend to let us have a vote.

Mr. KERR, of Iowa. I want, Mr. Chairman, to make just one statement.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] has the floor, and unless he yields it—

Mr. CANNON. I would appeal to my friend from Iowa [Mr. KERR] to let us have a vote. I am sure the House is ready for it.

Mr. KERR, of Iowa. I think I should have the right to make a statement.

Mr. CANNON. If you open the floodgate everyone will want to talk. I hope my friend will let us have a vote. [Cries of "Vote!" "Vote!"]

Mr. HEARD. Move to limit debate, now that you have the floor, if you think you ought to.

Mr. SPINOLA. Mr. Chairman, I hope my friend from Iowa [Mr. KERR] will be allowed to be heard. I want to hear what he has to say.

The CHAIRMAN. Does the gentleman from Illinois [Mr. CANNON] yield the floor?

Mr. CANNON. I will again ask my friend from Iowa and members of the committee to let us have a vote now.

Mr. KERR, of Iowa. I will do that as soon as I have made a statement. I only want a half minute.

Mr. CANNON. My friend asks half a minute. I will yield to him for that length of time.

Mr. KERR, of Iowa. Mr. Chairman, I wish just to make this statement: The proposition involved in this bill is the proposition for a recoinage. The proposition in the amendment of the gentleman from Missouri [Mr. BLAND] is a proposition for new coinage, and they are entirely different propositions.

Mr. CANNON. Mr. Chairman, I hope that we may now have a vote.



Mr. SPRINGER. If my colleague will allow me to say one single word—

Mr. CANNON. I yield to my colleague [Mr. SPRINGER] a half minute.

Mr. SPRINGER. I do not wish to accept that. If the gentleman has finished, I take the floor in my own right. I will use but very little time.

Mr. CANNON. How much time does my friend desire?

Mr. SPRINGER. I do not desire more than two minutes.

Mr. CANNON. Well, I yield to him two minutes.

Mr. SPRINGER. Mr. Chairman, the Chair called attention to the fact that he has had a conversation with the Director of the Mint and that the Director of the Mint had informed him that it had been his custom to recoin the domestic coins of the United States, and claimed that this appropriation therefore had been construed as authorizing such recoinage, and that therefore the text was not a change of existing law.

The fact is, Mr. Chairman, that the authority to recoin domestic coin is contained in the appropriation bill and was itself a change of existing law; and under that authority, contained in the appropriation bill—the existing appropriation bill—the Director of the Mint recoined worn and uncurrent silver coins of the United States during the last calendar year, mostly subsidiary pieces, unfit for circulation, received at the Treasury and its branches, and transferred to the mints at San Francisco and Philadelphia for recoinage, to the amount of 626,438.18 standard ounces of silver, to the value of \$728,946.25.

That was done in pursuance of the appropriation bill, and if the clause is not re-enacted as it is in the bill the authority would not exist. So that there was a change of existing law, and without the authority contained in this bill there will be no authority to make that coinage; and therefore it is an enlargement of the general law to the extent provided in this paragraph, and under that enlargement of the general law there were recoined over \$700,000 worth of the domestic coins of the United States last year. That will be authorized again by the pending proposition, which is a change of existing law; and being a change of existing law it is in order to move an amendment to it which provides for a different manner of recoinage and for extending the recoinage provided for in the proposition. Hence the proposition, being germane to the proposition changing existing law, is in order in this bill. [Cries of "Vote!" "Vote!"]

Mr. CANNON. Let us have a vote.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee? Those in favor will say "ay."

The question was taken.

Mr. SPRINGER. I think we had better have tellers on this.

Mr. BLAND. We may as well have tellers.

The CHAIRMAN. The Chair is in doubt, and in order to secure entire accuracy upon this important question, the Chair, on his own motion, will appoint tellers; and the gentleman from Missouri [Mr. BLAND] and the gentleman from Illinois [Mr. CANNON] will act as tellers.

Mr. ROGERS. I hope while we are taking this vote members will pass between the tellers slowly, so that the reporters in the gallery will be able to inform the country which way gentlemen vote on this question.

The committee divided.

Pending the report of the tellers,

Mr. BURROWS said: I desire to state that I refrained from voting to sustain the Chair because I am paired with the gentleman from Louisiana [Mr. BOATNER].

Mr. MUDD. Mr. Chairman, I want to state that I am paired with the gentleman from Arkansas [Mr. FEATHERSTON], by the terms of the pair, which he made out himself, "on the silver bill." Mr. FEATHERSTON is in favor of the free and unlimited coinage of silver and I am opposed to it; but as I do not consider that the question now before the House is one going to the merits of the controversy I have voted upon it and voted to sustain the Chair.

Mr. BLAND. That is a violation of the pair.

The tellers reported—ayes 134, noes 127.

Accordingly the decision of the Chair was sustained.

Mr. DOCKERY. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

On page 43, in lines 1 and 2, strike out "\$20,000" and insert in lieu thereof "\$500,000."

Mr. DOCKERY. Mr. Chairman, I desire to make a brief statement in explanation of the amendment and ask permission to have the time to make the necessary statement without regard to the five-minute rule.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed without limitation to time.

Mr. DOCKERY. I will only occupy a few minutes.

Mr. CANNON. How much time does my friend think he desires?

Mr. DOCKERY. I desire enough time to state the reasons for asking the adoption of the amendment. I occupied no time in general debate, and if it is agreeable would like to occupy as much time as is necessary to make the statement.

Mr. CANNON. It is agreeable; except my friend knows that other gentlemen will wish time.

Mr. DOCKERY. I heartily concur in the desire to expedite the consideration of this bill.

Mr. CANNON. Will ten minutes answer the gentleman?

Mr. DOCKERY. I only ask time to state reasons in support of my amendment. I may not occupy ten minutes.

Mr. CANNON. Then fifteen minutes.

Mr. DOCKERY. I have no disposition to occupy unnecessarily the time of the committee.

The CHAIRMAN. For how long does the gentleman from Illinois yield?

Mr. CANNON. Fifteen minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to be heard for fifteen minutes on the pending amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. BRECKINRIDGE, of Kentucky. Will the gentleman allow the amendment to be rereported?

Mr. DOCKERY. Certainly.

The amendment was again read.

Mr. DOCKERY. Mr. Chairman, I will state at the outset that the purpose of this amendment is to provide a sufficient appropriation for the ensuing fiscal year to recoin the subsidiary coin now in the Treasury of the United States, and which is carried on the books of the Treasury Department as an "unavailable" asset. It is unavailable because of abrasion, mutilation, and other reasons, whilst a large part of the coin consists of halves, for which there is no current demand.

Now, Mr. Chairman, in support of this proposition which looks to releasing \$19,000,000 of subsidiary coin in the Treasury and the addition by that amount to the circulating medium of the country, I desire to read the recent recommendation of Mr. Windom, late Secretary of the Treasury. Mr. Windom, speaking of this coin, says in his last report:

Aside from the importance of relieving the Treasury from this incubus of uncurrent coin, it is the duty of the Government to see that the people are provided with a suitable amount of change money in an attractive and desirable form. Instead of waiting for small annual appropriations to accomplish this desirable end, it seems eminently proper that authority should be granted the Treasury Department to recoin this uncurrent silver coin into new coin, and to pay the loss incident to such recoinage from the very large profits which have been made by the Government on the manufacture and issue of silver coins.

In the concluding recommendation the Secretary puts the question in terms not to be misunderstood when he says:

I can conceive of no good reason for hoarding in the Treasury vaults nineteen millions of useless coin, which the people will not accept, and denying to them the use of this large amount of money in a form very much needed.

That, Mr. Chairman, is the recommendation of the Secretary of the Treasury, the late Mr. Windom, and in further support of my amendment I desire to have the Clerk read a letter from the Director of the Mint of this date, received only about thirty minutes since.

The Clerk read as follows:

TREASURY DEPARTMENT, BUREAU OF THE MINT,  
Washington, D. C., February 6, 1891.

SIR: Referring to the provision in the sundry civil bill for recoinage of light-weight gold and silver coins in the Treasury, I have the honor to direct attention to the recommendation contained in my report for the fiscal year 1890, and in the report of the Secretary of the Treasury for the same year, that authority be granted the Department to pay the loss incident to the recoinage of the uncurrent silver coins in the Treasury from the profits which have been made by the Government on the manufacture and issue of silver coins, commonly called the "silver profit" fund, or if this is not considered desirable that an appropriation of say \$500,000 be made for this purpose, for the current fiscal year.

There are about \$19,000,000 in subsidiary silver coins in the Treasury of the United States, which are largely abraded, and about \$18,000,000 of them are in half-dollars, which is a denomination of coin for which there is no public demand.

Under present law these coins could be coined into quarter-dollars and dimes, for which there is a current demand, without changing any existing law or the wording in the appropriation contained in the sundry civil act, further than the amount to be appropriated to pay the loss incident to such recoinage, corresponding to the difference between the actual weight of the coins in the Treasury and full-weight new coins.

I can conceive of no good reason for hoarding in the Treasury vaults \$19,000,000 of useless coins which the people will not accept when they could readily be converted into an available asset of the Government if a sufficient appropriation was made to cover the loss of metal in recoinage.

Very respectfully,

E. O. LEECH, Director of the Mint.

Hon. A. M. DOCKERY,  
House of Representatives.

Mr. DOCKERY. Now, Mr. Chairman, I will briefly summarize the proposition. There are now about \$19,000,000 of subsidiary coin in the Treasury, the larger part of it consisting of halves. It is an unavailable asset and can not enter into circulation unless Congress appropriates a sufficient sum to make good the loss by abrasion. The Secretary of the Treasury recommends, the Director of the Mint urges, and the people demand that this \$19,000,000 shall be added to the volume of money; and I can not conceive any good reason why this amendment should not prevail.

Mr. ADAMS. The gentleman made reference in opening his speech to a fact that there was a distinction either in the law or in his judgment as to halves and other coin; and, if I understood him correctly, he said that the recoinage of the half-dollar is considered undesirable.

Mr. DOCKERY. The Director of the Mint says there is no current demand for half-dollars.



Mr. ADAMS. Is the lack of the current demand for half-dollars because they are not popular or is it because, as he said, they are uncurrent from the fact that they are abraded?

Mr. DOCKERY. No, sir; he says there is no current demand for halves, but there is a large and increasing demand for quarters and dimes. He has now ample authority of law for recoinning halves into quarters and dimes, and the only thing needful is an appropriation to make good the loss in value by reason of abrasion and other causes.

Mr. ADAMS. The money can be recoined into quarters and dimes as he thinks best, in his discretion?

Mr. DOCKERY. It can.

Mr. ADAMS. It seems to me that the half-dollar is not as unpopular a coin as the gentleman seems to think.

Mr. DOCKERY. Mr. Chairman, I have no information upon the point except that furnished by the Director of the Mint, and certainly there is no higher official authority. I may also add in this connection that a further effect of the amendment, should it be enacted into law, will be to coin the \$6,000,000 trade-dollar bullion now in the Treasury into standard silver dollars rather than subsidiary coin.

I reserve the remainder of my time.

Mr. CANNON. Mr. Chairman, I will be glad to be recognized.

The CHAIRMAN. The gentleman from Illinois.

Mr. DOCKERY. How much time have I remaining?

The CHAIRMAN. Five minutes.

Mr. CANNON. I do not believe there is a necessity for the adoption of this amendment, and if there is a necessity it does not go far enough. There is no trouble about sufficient money being available for the coining of small coin.

The trade-dollar bullion, six millions of it in round numbers, is now in the Treasury, with an appropriation made to coin it into dimes and quarters and other small coins, and the Director of the Mint has stated time and again, stated before the Committee on Appropriations when this was being investigated, that the only reason he did not use that trade bullion for the minor coinage was that the mints were being utilized to their full capacity. So that there is no necessity in the coming fiscal year for the provision which the gentleman proposes by his amendment.

Now, one further word: Of this \$19,000,000 of subsidiary silver coin in the Treasury, seventeen and a half millions are half-dollar pieces, and, so far as the committee knows or the House knows, none of that seventeen and a half millions requires recoinning. The gentleman says that the half-dollar is not a popular piece of money and that it is difficult to circulate it. Well, we found for a long time that it was difficult to circulate the dollar. We authorized the silver certificate, and that does circulate, and there might, perhaps, be a certificate issued that would circulate in lieu of the half-dollar. I do not believe it is wise to take seventeen and a half million dollars and recoin them into dimes and quarters. I know it is not necessary, because of the \$6,000,000 dollars of the trade-dollar bullion that is now in the Treasury with a permanent appropriation which can be used to coin the dimes and the quarters.

Mr. SAYERS. I understand the gentleman from Illinois to say that he does not believe it to be wise to appropriate this money to recoin these half-dollars into quarters and dimes. I would like to hear the gentleman state his reasons for that opinion.

Mr. CANNON. Because there is six millions of silver bullion that is now available for such coinage, with the money to pay for it appropriated, and the Director of the Mint tells us that the only reason he has not coined it is because of the want of capacity in the mints.

Mr. FORNEY. But did not the Director of the Mint tell us that the half-dollars came back, but that when he coined them into quarters and dimes they would not come back?

Mr. CANNON. Yes; he said that the half-dollar when paid out comes back into the Treasury, and he might have gone a step further and said also that the dollar when paid out comes back into the Treasury. And he has already got six millions of silver bullion, with a full appropriation, from which he can coin the dimes and quarters.

Mr. FORNEY. But we want that coined into silver dollars.

Mr. DOCKERY. Certainly, as the law requires.

Mr. CANNON. This does not coin it into silver dollars.

Mr. FORNEY. But he has the right to coin it into silver dollars.

Mr. CANNON. Precisely; but if, with this \$6,000,000 of silver bullion available, the gentleman is still hungering and thirsting for full authority to recoin, I would call his attention to a provision which I send to the desk, which "sees" his amount and "goes \$700,000,000 better." Let it be read.

The Clerk read as follows:

Page 43, at the end of line 2, insert the following:  
"And the Secretary of the Treasury is hereby authorized to transfer to the United States mints for recoinage any silver half-dollars now in the Treasury or in any of the subtreasury offices, and the expense incident to such recoinage shall be paid from the silver-profit fund."

The CHAIRMAN. Is that offered as an amendment?

Mr. CANNON. I will submit it and let it be pending. I may move it by way of a substitute.

Mr. DOCKERY. Do you offer it as an amendment? If so, I accept it.

Mr. CANNON. I say let it be pending by way of a substitute.

Mr. DOCKERY. I will accept it with pleasure.

Mr. CANNON. Well, I have not the slightest objection to that.

The CHAIRMAN. The Chair would be glad to understand the purpose of the gentleman from Illinois. Is this offered as part of his remarks or as an amendment?

Mr. CANNON. I said that I offered it and would let it be pending. The gentleman from Montana [Mr. CARTER] desires to be recognized.

The CHAIRMAN. The gentleman from Illinois, then, offers this as a substitute.

Mr. BUCHANAN, of New Jersey. I reserve all points of order against the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The point of order will be reserved. The gentleman from Montana is recognized for debate.

Mr. CARTER. Mr. Chairman, a fair consideration of the proposition here involved will result in the adoption of the amendment proposed by the gentleman from Missouri. What are the facts? Nineteen million dollars in defective or short-weight coins now rest in the vaults of the United States Treasury. This coin in its present form is not available for any purpose of trade, barter, or Government use.

The proposition here presented is to authorize the Director of the Mint to recoin this money and transform it into such shape as will make it available for trade, providing the demand arises. The appropriation, so called, is merely a use of terms in bookkeeping. When it is attempted to transform this abraded coin into current coin, a certain loss will occur by virtue of short weight. This appropriation is desired for the purpose of enabling the Treasury officials to balance their books by charging to this proposed appropriation fund the amount of loss incident to short weight in the coins now in the Treasury, which we propose to recoin.

Mr. BREWER. What authority have you for stating that it is short weight?

Mr. CARTER. I ask the gentleman to reserve his question for the present. Mr. Chairman, from one end of this country to the other comes a demand for an increase of currency. That demand exists as to change money, save and except as to the half-dollar piece, with which our trade has become somewhat surcharged. This provision will permit the Director of the Mint to transform these undesirable half-dollar pieces and defective and short-weight coins into dimes and quarters, and the appropriation will enable the Treasury officials to make a charge which will prevent a deficit in their accounts. Now I will hear the question of my friend from Michigan [Mr. BREWER].

Mr. BREWER. The gentleman from Montana has stated that these were underweight coins?

Mr. CARTER. Yes, sir; to some extent.

Mr. BREWER. And that that is the reason for their recoinage. But that is not the reason suggested by the Superintendent of the Mint.

Mr. CARTER. I will state in reply to the gentleman from Michigan that my remark was perfectly justified, because of the fact that the statute cited this morning by the Chairman of the committee, in deciding the point of order, expressly provides that when coin reaches a certain diminution in weight it shall be no longer forced into circulation, but may be put into the Treasury and thus redeemed with other coin which takes its place in circulation.

When coin from any cause becomes so defaced as to be of no further use in circulation it may be disposed of in the same manner. There have accumulated in the Treasury in a series of years nineteen millions of this short-weight, defective, or defaced coin, and the proposition of the gentleman from Missouri [Mr. DOCKERY] is to swap \$500,000, which will be apparent only in a sense of bookkeeping in the Treasury Department, for this nineteen millions of effective money to be thrown into circulation. Can there be any possible objection to a proposition of that kind?

I wish further to suggest that the gentleman from Illinois, in the course of his remarks, made a statement that the mint of the United States is at present taxed beyond its capacity; and in consequence the Director of the Mint could not take advantage of the appropriation even if it were made. Let me in that connection call his attention to the well-known fact that during the coming fiscal year the \$2,000,000 a month of silver coinage heretofore provided for will cease, and to that extent these subsidiary coins may be made available, to the extent of two millions at least per month, without taxing the capacity of the mint any further.

Mr. CANNON. Let me ask the gentleman a single question in connection with the remarks he is now making.

Mr. CARTER. Certainly.

Mr. CANNON. Would the gentleman think it wise for the Secretary of the Treasury to take seventeen and a half millions of sound, full-weight half-dollars and recoin them into quarters and dimes?

Mr. CARTER. I do not understand that the Secretary of the Treasury or the Government of the United States would lose anything in turning half-dollars into dimes, which would circulate when the half-dollars would not circulate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOCKERY. Mr. Chairman, after a consultation with the chair-



man of the committee I desire to withdraw my original proposition, he withdrawing his, and offer the following as a substitute for both.

The CHAIRMAN. The amendment and the amendment to the amendment are withdrawn, and the Clerk will read what is now proposed.

The Clerk read as follows:

Strike out, on page 43, in lines 1 and 2, the words "twenty thousand dollars" and insert "and so much as may be necessary to meet the expense of such recoinage is hereby appropriated out of the silver-profit fund."

Mr. CANNON. To that I have no objection.

Mr. MORSE. I desire to occupy my time in sending to the Clerk's desk and having read two paragraphs from the speech of the late Secretary of the Treasury Windom, made just before his death in the city of New York.

The Clerk read as follows:

The quality of circulation is even more important than the quantity. Numerous devices for enlarging credit may, and often do, avert the evils of a deficient circulation, and a redundancy may sometimes modify its own evils before their results become universal; but for the baneful effects of a debased and fluctuating currency there is no remedy, except by the costly and difficult return to sound money. As poison in the blood permeates arteries, veins, nerves, brain, and heart and speedily brings paralysis or death, so does a debased or fluctuating currency permeate all the arteries of trade, paralyze all kinds of business, and bring disaster to all classes of people. It is as impossible for commerce to flourish with such an instrument as it is for the human body to grow strong and vigorous with a deadly poison lurking in the blood.

Such a currency is bad enough in domestic trade, but it is absolutely fatal to the prosperity of foreign commerce. The nation that attempts to conduct its foreign trade with a currency of uncertain value or of inferior quality is placed at a fearful disadvantage. It would seem superfluous to impress this universal and well-known experience were it not too apparent that this nation has been in danger of repeating the costly experiment with just such a currency. The tendency of events has recently been in that direction, and the apprehension of danger created thereby has caused the loss since December 1 of over \$24,000,000 of gold from the Treasury and of probably a much larger amount from the circulation. I am happy to say, however, that this peril seems now to have passed, and it is to be hoped its evil effects will soon disappear. The "sober second thought" of the people is asserting itself as usual, and signal lights of safety are here and there becoming visible.

Let me speak very plainly on this most important subject. Believing that there is not enough of either gold or silver in the world to meet the necessities of business, I am an earnest bimetalist and concede to no one a stronger desire than I feel for the free and unlimited coinage of silver as soon as conditions can be reached through international agreement, or otherwise, by which such coinage shall be safe. But it is my firm conviction that for this country to enter upon that experiment now and under existing conditions would be extremely disastrous, and that it would result, not in bimetalism, but in silver monometallism. Such an experiment would, in my judgment, prove a greater disappointment to its advocates than to anyone else. They insist that it would expand the circulation and permanently enhance the value of silver. I believe it would produce a swift and severe contraction and eventually reduce the market value of silver. Let me briefly suggest some of my reasons for this belief:

Free and unlimited coinage of silver by the United States, while the other great nations pursue an opposite policy, would invite all owners of that metal throughout the world to exchange 37½ grains of pure silver, worth about 83 cents, for 23.22 grains of pure gold, worth everywhere 100 cents. Nearly all the nations of Europe are anxious to exchange their silver for gold, and they would at once accept so tempting an offer. The mint statistics of the Treasury Department show that the stock of full legal-tender silver in Europe amounts to \$1,101,400,000, and that of this amount the banks of France, Germany, Austria-Hungary, the Netherlands, and Belgium hold \$423,866,665. A large part of these vast stocks of silver would be ready for transfer to us at once, and the swiftest steamers would be employed to deliver it to the Treasury in order that with the proceeds the owners might buy gold exchange on Europe before our stock of gold should be exhausted.

Would our own people await the arrival of these silver argosies from Europe before acting? Not unless the Yankee has lost his quick scent of danger and forgotten his cunning. Bank depositors, trust companies, the holders of United States notes and gold certificates would instantly lock up all the gold at command, and then join the panic-inspired procession to the Treasury, each and all anxious to be in time to grasp the golden prize before it is too late. Probably before the swiftest ocean greyhound could land its silver cargo at New York the last gold dollar within reach would be safely hidden away in private boxes and in the vaults of safe-deposit companies, to be brought out only by a high premium for exportation.

This sudden retirement of \$600,000,000 of gold, with the accompanying panic, would cause contraction and commercial disaster unparalleled in human experience, and our country would at once step down to the silver basis, when there would be no longer any inducement for coinage, and silver dollars would sink to their bullion value. When the silver dollar ceases to have more value than the bullion it contains there will be little inducement to coin our own silver, and the cost of transportation will prevent its coming from abroad. How, then, will unlimited coinage either expand the circulation or enhance the value of silver?

As if determined to omit nothing which might accelerate these results, the advocates of present free coinage insist that it shall not await the slow process of mint operations, but that the printing press shall be set to work providing certificates to be issued for silver bullion at \$1 for 37½ grains. When this consummation shall be reached, as surely it will be if unlimited coinage be adopted under existing conditions, the too ardent and impetuous lovers of silver will sadly realize the truth uttered by the wise King of Israel, "He that loveth silver shall not be satisfied with silver."

Mr. CANNON. I will be glad now, Mr. Chairman, to close debate. We have an amendment which is satisfactory to the gentleman from Missouri.

The CHAIRMAN (Mr. BUCHANAN, of New Jersey, in the chair). Does the gentleman move to close debate?

Mr. CANNON. I would be glad to do so.

The CHAIRMAN. It is not what the gentleman would be glad to do, but what he does.

Mr. JOSEPH B. TAYLOR. I have an amendment to offer, which I send to the desk.

The Clerk read as follows:

Add as an amendment to the amendment offered by Mr. DOCKERY the additional words "Provided, That no current coins of full weight shall be recoinced."

Mr. DOCKERY. It seems to me that there is no objection to that amendment.

Mr. BLAND. I hope that will be accepted.

Mr. BRECKINRIDGE, of Kentucky. But might not its adoption defeat the very purpose of the gentleman's own amendment?

Mr. BLAND. Except as to the half-dollars.

Mr. BRECKINRIDGE, of Kentucky. Because while the half-dollars might be full weight and current coin, yet it may be desirable to recoin them into minor coins, which could not be done if this provision was adopted.

Mr. DOCKERY. I think the suggestion of the gentleman from Kentucky is timely, and I therefore, upon reflection, prefer not to accept the amendment of the gentleman from Ohio.

The CHAIRMAN. Then it will be considered as a pending amendment to the amendment.

Mr. CANNON. Now, I propose to close all debate upon the paragraph and amendments.

Mr. BLAND. I hope the gentleman from Illinois will withdraw that for a few moments.

Mr. CANNON. I will withdraw it and move to close debate in ten minutes, if that is satisfactory.

Mr. BLAND. That will be satisfactory to me.

The motion of Mr. CANNON was agreed to.

Mr. BLAND and Mr. KELLEY addressed the Chair.

The CHAIRMAN. The gentleman from Missouri [Mr. BLAND] is recognized for five minutes and the gentleman from Kansas [Mr. KELLEY] will be recognized for the succeeding five minutes.

Mr. BLAND. Mr. Chairman, if I understand the proposition before the committee, it relates to the recoinage of silver coin in the Treasury. I did not catch the full purport of the amendment of my colleague [Mr. DOCKERY], but if it is not confined to uncurrent or abraded coin it ought to be.

Mr. ADAMS. It follows the language of the bill.

Mr. DOCKERY. There is no change in the usual language of the bill.

Mr. BLAND. As a matter of fact the Treasury Department already, under existing law, have authority to purchase bullion for these subsidiary coins. That is to say, they have authority under the general statute, whenever it is deemed necessary, to purchase all the bullion that may be required for subsidiary coinage. Now, if we go to work and authorize the recoinage of the subsidiary coins in the Treasury from one denomination to another, the natural effect will be to curtail the amount of silver that may be purchased for that purpose, and curtail the amount of subsidiary coinage that may be required by the country; and hence I say, while I have no objection to melting down uncurrent and abraded coin in the Treasury, still I would not support a proposition that looked to the recoinage of the subsidiary coins, including halves, that are not abraded, not below tolerance, simply for the purpose of converting them into dimes, when we already have the power to go into the open market and buy silver for that purpose. I do not think it is economy, I do not think it is in the interest of increasing the circulation, and unless the amendment of my colleague is in terms that would confine it to abraded coin, I hope the amendment of the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] will prevail.

Mr. DOCKERY. The amendment relates in fact to abraded and underweight coin.

Mr. KELLEY. Mr. Chairman, I have been paying close attention to this matter, and especially to the references that have been made to experts upon this silver question; and more especially was my attention directed to the communication that has just been read, offered by the gentleman from Massachusetts [Mr. MORSE]. When that was being read, my attention reverted back to my experience with experts, and I remembered that when the experts got hold of an eminent gentleman who had been shot by Guiteau—the very best experts in that line in the country—got hold of him and probed him, finally he died; and to-day it is a question with the common people, the people with common sense, who do not pretend to be experts, whether the bullet of Guiteau killed Garfield or whether it was the experts. And, noticing the conflicting opinions of the experts who have been produced as authority upon this question of the free coinage of silver, I have about come to the conclusion that it is best to ignore all the experts; and believing that this amendment may give the people of the country a little more silver or a little more currency, whether it be silver or gold, I have determined to vote for every measure that comes up in this Congress, while I am here, that will have a tendency to give the country a dollar more of silver or gold or paper money.

Now, Mr. Chairman, speaking a little further about the experts, I am reminded again that even experts are constantly changing their minds upon these questions. We find that gentlemen who have been considered as authority upon not only this question, but upon the question of the tariff, the most eminent experts, have absolutely changed ends and reversed their judgment and opinions during the course of the discussion of the tariff question in this country.

And in this connection I desire to relate one of the experiences of Daniel Webster. At one time he was a celebrated free-trade man. He made a great free-trade speech that was published in the papers of the

country in favor of that view of the measure. He afterward changed his views and made many speeches in favor of a high tariff. And as he had been before quoted as an expert in favor of free trade and his sayings and opinions had been given great weight, his sayings and views were now cited as those of an expert in favor of a protective tariff.

On a certain occasion he made a speech in New York City in favor of protection. So great was the anxiety to hear this great expert on the tariff that one-half the people who desired to hear him could not get in the hall. That was also published in the papers; and the people who desired to read his speech the morning after he made it were anxious to get hold of the papers which contained it. Some Democratic paper in New York, more enterprising than the other papers, got hold of a copy of the old paper which published that free-trade speech, about ten years before, and reprinted it, and two hours earlier than the other papers came out (they having to put the speech in type after it was delivered) this paper was out and put in the hands of the boys, and they began to sell them crying out, "Morning papers! great speech of Daniel Webster on the tariff!" all through the city in the morning, and everybody was anxious to buy copies; and when they bought them, and the people sat down to read them, they found out that Daniel Webster, very much to their surprise, had made a free-trade speech instead of a high-tariff speech, and they did not discover the joke that had been played on Webster and on themselves until at the close of the speech they observed the date of its delivery.

And so it goes upon these questions. I remember further that when I was a boy and did not have any particular mind of my own I was led by some of the preachers of the country, who were thought to be experts in theology, to believe that hell was about 500 miles deep and very wide and very hot, but after I grew up and when I had become more mature, and they had become more mature, I found they had changed their views upon the subject of hell, and they did not think it really had any depth at all or that it was very wide or very hot. Many of the professional experts on that subject are now of the opinion it is merely an imaginary place, and therefore they have changed their minds.

My opinion is that almost all who to-day consider themselves experts upon the subject of silver, when the people of this country have their will and have that will enforced into law, will change their minds upon their expert opinion with reference to free coinage, and in a few years from now, when this question comes to be enacted into law and we have free coinage, will all say they never believed there was any real objection to the free coinage of silver. They will have changed their opinions and will agree that their objections were imaginary, that there was nothing whatever in them, and they, like the experts upon many other questions when their theories are exploded by the common sense of the common people, will have to admit they were mistaken.

Mr. Chairman, I think I am within the truth when I say that fully four-fifths of the people of this country are in favor of the bill that has passed the Senate of the United States, in favor of free coinage of silver, and has been referred to one of the committees of this House, and seems likely to remain there until it is smothered by expert testimony or until it will be too late for this House to pass it. In that event the people of the West, and especially the Republicans of the West, will not take technicalities for an excuse.

No man can get behind a point of order, or behind a rule of the House, or the ruling of the Chairman of the committee as his justification for not passing this bill. The Republican party is in the majority in this Congress, and that party is responsible for its defeat if it is defeated, and the consequences of that defeat in the West will be fearful, both to the interests of the people and to the Republican party. The Republicans in Kansas hold that this measure was one of the pledges of the Republican platform of 1888, adopted in Chicago; the language of the platform justifies that conclusion; the campaign in Kansas was made upon that basis; and it was with that understanding that the voters of Kansas gave Benjamin Harrison 82,000 majority in 1888.

It was because the people of Kansas believed the Republican party, being in a majority in Congress, had failed to make good its pledges on this question and on the tariff question that they last fall cast in the aggregate more than 40,000 majority against the Republican party. And now, Mr. Chairman, as expressive of the sentiment of the Republican party of the State of Kansas on the question of the free coinage of silver, I desire to introduce as a part of my remarks some resolutions passed by the Republican senate of the State of Kansas and addressed to this House.

That body was elected in 1888; if it had been elected last fall it would not have been Republican in politics. It is composed of forty members, thirty-eight Republicans, one Democrat, and one Alliance man. The Alliance man was elected in December last, to fill a vacancy caused by the death of a Republican member. You will observe, therefore, that these resolutions are expressive of the sentiment of Republicans and Republicanism in Kansas, and they are in part an answer to the oft-repeated question, What is the cause of the great political revolution in Kansas? The resolutions in great part tell the whole story of the presence in the next Congress of five Representatives and one Senator from Kansas who are members of the Alliance party.

Senate resolution No. 27.

[By Senator Kelly, of McPherson.]

Whereas the recent action of the Senate of the United States in promptly passing the free-coinage-of-silver bill is a move in the direction of restoring prices and prosperity to agricultural industry: Therefore,

Be it resolved, That the senate of the State of Kansas urge upon the National House of Representatives prompt concurrence in the passage of the Senate silver bill; that this body representing the Republicans from Kansas respectfully but earnestly request our delegation in Congress to insist, in the interest of the country and the welfare of the Republican party in the West, upon the passage of this bill and its approval by the Republican Executive as being in line with Republican pledges.

Resolved, That the secretary of the senate is hereby instructed to transmit a copy of these resolutions to each member of the Kansas delegation in Congress. Adopted January 28, 1891.

A. J. FELT,  
President of the Senate.  
A. G. STACEY,  
Secretary of the Senate.

Mr. Chairman, believing in those resolutions, I shall take occasion to vote on every opportunity, in season and out of season, for every motion, amendment, resolution, or point of order that will in my judgment tend to the desired result, this measure of great relief to the people.

The CHAIRMAN. The question is on the amendment to the amendment, the amendment to the amendment being offered by the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

The question was taken; and the Chairman announced that the yeas seemed to have it.

On a division (demanded by Mr. DOCKERY) there were—ayes 22, noes 32.

Accordingly the amendment to the amendment was disagreed to.

The amendment was then agreed to.

The Clerk read as follows:

Pay of assistant custodians and janitors: For pay of assistant custodians and janitors, including all personal services in connection with all public buildings under control of the Treasury Department outside of the District of Columbia, \$600,000; and the Secretary of the Treasury shall so apportion this sum as to prevent a deficiency therein.

Mr. SAYERS. Mr. Chairman, I call the attention of the gentleman from Illinois to the understanding that was had yesterday with reference to the World's Fair Commission.

Mr. CANNON. I will suggest that as the gentleman from Massachusetts [Mr. CANDLER] seems to be absent we read to the end of the bill and then take it up.

Mr. SAYERS. Gentlemen on this side of the House are desirous of debating the question to-day.

The CHAIRMAN. The Chair will state that, if gentlemen are ready to proceed upon the item referred to, that is the order of the committee.

Mr. SAYERS. I yield twenty minutes to the gentleman from New York [Mr. FLOWER].

The CHAIRMAN. The Chair understands that the gentleman from Illinois has remaining one hour and seven minutes and the gentleman from Texas one hour and ten minutes.

Mr. SAYERS. I yield twenty minutes to the gentleman from New York [Mr. FLOWER].

Mr. FLOWER. Mr. Chairman, against my desire I was appointed one of a committee of five to investigate or to look into the expenses of the World's Fair Commission at Chicago. Gentlemen will remember that we voted \$1,500,000 towards the World's Fair at Chicago from the Treasury of the United States. That amount of money was larger than any sum ever given to a fair before. It was considered that it was all they would desire under any circumstances whatever to make the fair a success and to give a good Government exhibit.

The resolution was passed asking this committee to investigate, not of the committee's own volition, but that of some other committee and some other gentlemen, who had been there and seen the prodigality and waste with which the national commission was squandering the funds, and not using them in erecting buildings or preparing proper exhibits for that fair. They saw, and told us before this resolution was passed, that this commission had made twenty-six different committees, being duplicated by the World's Fair corporation, each one acting in a dual capacity, and each one running up its expenses to be charged, one against the Government of the United States and the other against the corporation at Chicago.

When we arrived there, about the 18th of November, we found the commission of 106 men and another commission of 115 women in session. This commission, the national commission, I will say were entitled to \$6 per day and traveling expenses.

Mr. KELLEY. I would like to ask the gentleman a question.

Mr. FLOWER. Certainly.

Mr. KELLEY. I understood the gentleman in his opening remarks to say that he had not asked to be appointed upon the committee. I wish to ask the gentleman if, when he found a commission of 115 women in session after he got there, he did not regret it.

Mr. WILSON, of West Virginia. Never!

Mr. FLOWER. That was the least of my regrets. When I got there I was satisfied, because I found that the ladies of that commission, and especially the president of that commission, were very able and in-



telligent ladies, and one whom I believe, if the whole charge of the fair were in her hands, would run it more economically, prudently, and maybe with better judgment than it has been run so far. Now, enough for that. In the five minutes' debate I will yield to any question gentlemen desire to ask.

We found, for instance, the national committee had appointed a committee of sixteen on mines and mining, one for each State, amounting to sixteen States in all. Under this law the chairman of the committee could call a meeting of the committee in Montana, California, or New Mexico, and the mileage and the per diem were taken where that committee had their session, and that was charged upon the National Government. We found that these committees were sitting all over the country in that way, and \$110,000 of this money went to the salaries and expenses paid last year under those circumstances.

Mr. ANDERSON, of Kansas. Will it interrupt my friend if I ask him here—

Mr. FLOWER. I have only twenty minutes, and I want to make my remarks in some kind of connection. I will answer gentlemen any questions they may desire to ask during the five-minute debate.

After the resolution passed we went to the city of Chicago and concluded that we would first get the opinion of men engaged in business, like Marshall Field; Potter Palmer; Joe Medill, of the Chicago Tribune; Colonel Peck, who built the Auditorium, one of the greatest buildings in the world, and H. H. Porter and Mr. Gage, the president, and others, and get the consensus of opinion from them as to how that fair would run superintended by one hundred and six men and one hundred and fifteen women; and they all said that there was no more use for this commission, except as an advisory board, than there was for having two or three domes on this Capitol; that they were a positive bore, in a business point of view, and if they could have this national commission pruned to a commission of five members that would supervise, and let the committee of forty-five men who represented the stockholders, and who nobly put \$10,000,000 of their own money into this fair, run it in their own way, the committee to supervise and see when they went wrong, that it would be all the Government interference they desired.

We told this national commission in words about the same thing, that the people of Chicago would like to have them prune themselves down into a committee of five, to criticize and to throw out any points that they might suggest for the best interests of a great national show. They tried to do that. They appointed a committee of eight to confer with the other committee, but have left the machinery and pay of the officers the same. They have elected a president of that commission, on a salary of \$12,000 a year, when he ought not to have a dollar more than \$6 per day, and they appointed a general manager at \$15,000 a year, which is cheap enough in salary, because he has the whole supervision of the national corporation and the corporation at Chicago.

We made the suggestion, as to the chairman of the executive committee receiving \$8,000 a year and having a committee of twenty-five, that that should all be done away with. We made the suggestion that the secretary, who receives \$10,000 per year, ought not to receive a salary of over \$2,500 or \$3,000. If you examine the evidence of Mr. Potter Palmer and of Mr. Young, of Chicago, gentlemen who contributed very largely to raise the money that was raised in Chicago; if you examine Mr. Baker's statement—and all of these gentlemen are among the brightest business men in the country—you will see that they are unanimously in favor of our view. They said that was what they desired, that they wanted this business pruned down so that the responsibility would be placed on the men that put in the money.

Why, the first thing the president of the national commission said to us was that they wanted an appropriation of \$10,000,000 from this Government besides what they already had. They are "running" the business to-day on a basis of \$5,000,000 extra appropriations from the United States Government, and I read this morning a statement in the newspaper dispatches that they want \$5,000,000 more. If you look at Mr. Young's statement, you will find him saying that if they, the national commission, go on in this way all the \$1,500,000 money appropriated will be spent in salaries and expenses, and that there will not be a dollar left to build the building or make the Government exhibit.

Look at the testimony of Mr. Willets, the president of the national board of exhibit here. He tells you that if they, the national commission, go on as they are going on now, there will not be money enough left to build a four-hundred-thousand-dollar building.

Mr. ANDERSON, of Kansas. I wish the gentleman would let me ask him a question just for information.

Mr. FLOWER. Well, what is it?

Mr. ANDERSON, of Kansas. Many of us have not read the report, and I want to know which commission you are speaking of. You spoke of several ladies, and then of another commission, and then, as I understood, of another.

Mr. FLOWER. No. Under this law the commissioners were supposed to be given the right to appoint thirty or forty lady commissioners, and they appointed one hundred and fifteen. I do not object to that. If Chicago wants them and Chicago will pay for them, I do not object, because they may be of very great aid, as their president is one of the brightest women in America.

Mr. ANDERSON, of Kansas. What I want to know is whether these ladies exercise the power which the body that I understand to be the United States commission, or the one that we have authorized, was intended to exercise, or whether this committee of men exercise that power. In other words, there are many of us who have not read the report—

Mr. FLOWER. Well, read this bill, and you will find a provision giving them, the ladies' commission, \$50,000, and also a provision for an appropriation for \$203,000 for salaries and expenses for the current year of the national commission. Now, we propose to prune this commission down to \$40,000 instead of \$203,000. You will find in the report that they provide for secretaries and so on. Why, you will find in the testimony that they do not even employ a typewriter at less than \$100 a month. While I was out there I met a lawyer who said to me, "They have gotten my typewriter away from me; while I was gone she went away; I found a note on my desk saying that she could not wait any longer, that she had an offer of \$100 a month." Fifty dollars, or \$60, or \$65 a month is the price they generally receive in Chicago, but these gentlemen, with the Treasury of the United States to draw on, scorn to pay less than \$100 a month. It is "easy come, easy go" with them.

Now, I did not want to go on this committee to investigate, because you all know that I fought this question of locating the fair at Chicago. But, after Chicago had won, then it was a fair that belonged to the whole Union, and as I belong to the Union I was in favor of the fair. The only reason I went there was that I wanted to find out what the business men of Chicago desired and to give it to them unhampered, because the business men of Chicago may be trusted to do almost anything. The men who raised this \$10,000,000 to put into this fair are the same men who have raised Chicago to the position of the second city in the United States—raised it out of the mud—and they never dwarfed any enterprise with which they were connected and they never will.

Your committee are unanimous in the proposition that you should prune down this national commission that hangs like an incubus upon the citizens of Chicago. Why, sir, when we arrived there they were about to go further than they actually went. They were going to have five departments, with a salary of \$8,000 for the head of each. Why, sir, it appears by this statement of the chairman of the judiciary committee that this national committee actually drove away from Chicago our representatives who went there to investigate them. I have heard of such things before; but very seldom have they driven the House of Representatives in this way; and when such men as Potter Palmer and Marshall Field and Otto Young and men of that stamp come here with their evidence and state what they want, they can not drive me, they can not drive any member of this committee, and I doubt whether they can drive the House from granting the request.

This man, the chairman of the judiciary committee, undertakes to traverse the statements of the committee; he takes up the different points one by one and tries to belittle them. The first point he makes is that the site was settled by resolution last September, before we arrived there. Then, Mr. Chairman, why was this committee called into consultation with a committee of twenty-five members of the national commission and twenty-five members of the Chicago board to hear the matters of difference and settle them in regard to the site? Why was it that Judge Martindale, chairman of that site committee, arose and said, "We pledged ourselves for the Washington Park or no fair."

Why was it that General Palmer, president of the commission, said in his evidence before our committee, "You must give us what we want; Judge Martindale is right, and we will stand by him." If they had settled this question of site, why was it that Judge Martindale came in and told our committee that the site was not satisfactory to his committee, and they would not accept it, if it was settled? Why was it that after our speeches Judge Martindale denied that the site was settled in answer to Otto Young, who said the site question was settled? He said, "It is not settled, and will not be settled right unless this joint committee authorizes its settlement." Why was it that Judge Martindale came around the next morning and showed us the report declaring that—

Whereas the national board of exhibit thinks that Jackson Park and the Lake Front would be the proper site for the fair; and  
Whereas the Congressional committee think that the best site: Therefore,  
Resolved, That we accept the present site.

Now, that is a fair sample of the argument of this gentleman who probably has been robbed of his annual salary of \$8,000 by this committee of investigation sent out by Congress. That shows the method of treating one matter; and there is no point all through his brief which can not be as easily brushed aside; because I have letters, and I presume other members of the committee have letters from the president of the Chicago corporation, thanking us for what we did there, and telling us that without our services they would not have had the site settled to-day.

There is a queer state of things in Chicago. There is a north side, there is a west side, and there is a south side. Subscriptions were obtained from all sides; and a wise thing was done in not fixing the site until after the subscriptions had been obtained. The moment the



site was selected, indignation meetings were held by the residents of one side and another. They tore to pieces the gentlemen who had been concerned in fixing the site until finally the general manager of the fair with a salary of \$15,000, by your leave—a salary which he should get from the Chicago board—went into the committee and said (until he got up it seemed to me the site would never be settled) that it was absolute folly to hold the fair anywhere else than in Washington Park. That is just where they decided not to hold it. But two days afterwards as I was leaving Chicago I saw in the Evening Journal a statement that lots on Washington Park which had been selling for \$400 per front foot had gone down to \$100. I do not know who held them.

I do say, however, that the people of Chicago have the ability and the pluck to make the fair in Chicago a splendid success if Congress will give them a chance. Let Congress vote \$5,000,000 for the purpose and allow it to be used up in expenses if members think that course is wise. But I would vote against any such proposition because I think one million and a half of dollars is all we agreed to contribute, and I think that amount will be sufficient if prudently and economically managed. I believe that the proposition submitted by your committee is a prudent one and is in the interest of the fair. That if this proposition be accepted the fair can be made a grand success I have no doubt.

[Here the hammer fell.]

Mr. FLOWER. I would like further time to say one word in regard to the position of the late Secretary of the Treasury on this question.

Mr. SAYERS. I yield two minutes more to the gentleman.

Mr. FLOWER. The late Secretary of the Treasury, Mr. Windom, agreed with us fully in our position. The portion of his letter referring to this point was printed in the RECORD the other day by the chairman of our committee [Mr. CANDLER]. The Secretary there stated that he had grave doubts in regard to the propriety of paying the high salaries which had been fixed; that if the matter were left to him he would never pay them; but as these people had voted them to themselves, he felt that he could not set himself up against the whole commission. I print in connection with my remarks that portion of the letter:

It is fair to presume that Congress intended, by this last-mentioned provision of law, to prevent the giving of what might be termed unreasonable compensation to any of the officers of the commission. But, in arriving at this determination, the Secretary of the Treasury must take into consideration the opinions of this representative body of men. It appears from your records, as before stated, that the commission has unanimously agreed that the officers named shall be paid the compensation stated. If I were to give my individual opinion on this subject, uninfluenced by the acts of your commission, I should not hesitate to decide that the amount named by your commission for salaries for its principal officers is greater than that probably contemplated by Congress in estimating the amount necessary to carry out the provisions of the act.

The amount of money already expended and the expenditures in contemplation by your commission prior to January 1 next constitute so large an amount that it presents an additional reason why I should not approve the compensation named were I alone responsible for the expenditures.

You will observe that your salary list for the years 1891, 1892, and 1893 will, without further increase of employees, amount to \$165,000, or about one-seventh of the entire sum of money outside of the cost of the Government buildings, which is fixed at the limit of expenditures growing out of the exposition.

I have grave doubts, in view of the facts as herein stated, whether I ought not to return the resolution submitted by your commission for revision as to the amount of compensation to be paid to your officers.

On the other hand I dislike extremely to set up my own personal views in opposition to those of the members of the commission, who are more familiar with the matter at issue than myself.

I therefore reluctantly approve articles 15 and 16 of your by-laws and beg leave to suggest, in this connection, that great care be exercised in authorizing further expenditures, to the end that your commission may not create a deficiency for the ensuing fiscal year.

Respectfully yours,

WILLIAM WINDOM, Secretary.

I am sorry I have not more time for this discussion; but under the five-minute rule if any questions should be asked we shall be very glad to answer them, because we want this fair. But as business men we want the House and the country to understand our position and to know that all of us are in favor of the line of policy reported, contemplating economy in all branches of the public service connected with the fair and the broadest liberty toward making it a grand success.

Mr. SAYERS. I now yield twenty minutes to the gentleman from West Virginia [Mr. WILSON].

Mr. WILSON, of West Virginia. Mr. Chairman, I am of opinion that the protection of the public Treasury and the success of the World's Fair at Chicago call for the adoption, in the main, of the recommendations made by the select committee headed by the gentleman from Massachusetts [Mr. CANDLER], and in order to present that view to the House I shall attempt little more at this time than to make a plain statement, as fair and as pointed as I can, of the condition of affairs as we found them in Chicago, and of the manner in which the preliminary work of the exposition has been done.

I admit in the beginning that the law passed by Congress was a loose piece of legislation. When I see what is possible under it, when I find what has been done under it, I am convinced that we were not sufficiently careful in guarding the public interests when we framed the bill providing for the exposition at Chicago under Government auspices. If there is any sound principle of legislation from which this House should never depart it is that appropriations of public money

should in every case be definite and specific. That is, indeed, the constitutional requirement, which says—

No money shall be drawn from the Treasury but in consequence of appropriations made by law.

And the Supreme Court of the United States, speaking by Chief Justice Marshall, has said that the meaning of the word "appropriation" in the Constitution is "that particular sums shall be assigned by law to particular objects."

I recall the fact that in 1835, when on the loss of the fortification bill a proposition was made to put a lump sum of money in the hands of the President for purposes of public defense during the recess of Congress, Mr. Webster said, and spoke as a statesman when he said it, "that he would not agree to such an appropriation if the guns of the enemy were pointed against the walls of the Capitol."

But, sir, we did not appropriate a large sum of money, and we handed this money over as a lump sum to the national commission, and they have done with it just what any similar body of men unwieldy in numbers and new to their duties would probably have done with it. I do not believe it was the intention of Congress that the United States, through this commission, should undertake to run the fair in all of its details. Nobody could be devised less fitted for such a task than a commission made up as that is. It is composed of one hundred and fifteen commissioners from all the States and Territories, with one hundred and fifteen alternates similarly distributed.

This body, composed of the commissioners themselves or of their alternates, as the case may be, meets from time to time in the city of Chicago to regulate the running of the World's Fair and to dispose of the public money committed to them for that purpose.

When we went to Chicago to make our investigation, as already said by my colleagues on the committee, the gentlemen from Massachusetts and New York, we found there had been friction between the local corporation chartered under the laws of the State of Illinois, which provides the site and the \$10,000,000 required by Congress for carrying on the fair, and the national commission, which is composed of the commissioners of the several States appointed under the act of Congress.

I have before me, and presume that every member of the House has probably received a copy of the same, a review of the report of the Congressional committee by Hon. William Lindsay, chairman of the judiciary committee of the national commission, which attempts to discredit the report by denying its statement of facts.

This is his language:

The report would have greater merit if it rested upon a more accurate statement of facts. For instance, the Congressional committee claims that the divergence of opinion between the national commission and the local directory as to the functions of each organization delayed the selection of a site for the exposition, and that the site was finally selected through their instrumentality and because of their intervention.

Which fact Mr. Lindsay denies, and says:

The Congressional committee say that through their presence in Chicago and in pursuance of their suggestions the question of a site was settled to the satisfaction of both organizations.

Now, as a matter of fact, the site was not settled during the visit of the Congressional committee to Chicago, nor was it settled, so far as the national commission is concerned, pursuant to any suggestions, either direct or indirect, made by that committee to that body. In fact, the views of that committee upon the question of site were never mentioned or referred to in the deliberations of the national commission, and the settlement of the September meeting, which has never been reopened, was made before the adoption of the Congressional resolution authorizing their visit.

If the House will turn to the testimony taken by our committee during its session in Chicago, they will find on page 19 that in answer to our inquiry on that point, the chairman of the committee on grounds and buildings, which had this matter in charge, Judge Martindale, said:

I will answer your question that nothing has been settled.

There was a dispute. The national commission were demanding Washington Park. The local directory, after promising it, were unable to deliver without restrictions, and so the whole matter of a site was reopened and in controversy.

And if Mr. Lindsay had read the official minutes of the national commission for Wednesday, November 19, 1890, he would have found the report of the committee on grounds and buildings, which narrates the whole story of the delays and controversies about the site; tells of the meeting of the executive committee of the national commission and the committee of the local directory, on the previous Monday, to consider the matter, at which meeting the Congressional committee attended, and, in giving the reasons for finally recommending Jackson Park in place of Washington Park, mentions as the first of them—

1. The Congressional committee, who have made a careful examination of the two parks, unanimously favor and advise the location on Jackson Park.

And the site question was finally settled according to that report and advice. I simply cite this to show the injustice of this criticism by the chairman of the Judiciary Committee on our report.

Mr. Chairman, I have certainly no criticism to make on the personnel of this commission. They are men as well fitted for their work as any commission chosen in like manner could be, but no body of men organized as this commission is could either run a great national exposition with efficiency or of themselves protect the public Treasury as it should be.



They clearly believed, at the outset, that it was their duty to take complete and detailed charge of the exposition. They organized, they elected their officers, they gave to their president a salary of \$12,000 a year, to the vice chairman of their executive committee \$8,000, to their secretary \$10,000. They subsequently elected a director general and gave him a salary of \$15,000 a year. And these officers have been since provided with a large number of employes, as I shall presently show.

True, there was already in existence in Chicago a local directory, with like officers, salaried and at work, so that there could be nothing to justify such an organization unless the commission may take most of the work out of the hands of the local boards. I have so many facts that in the time allotted to me I can not give many of them, but I will give one or two examples to show the way in which public money is dealt with by a body as large as the national commission, without imputing to that body anything more than its inevitable inefficiency.

Preliminary to the first meeting of this commission, a circular was sent out by a gentleman in Chicago who gave himself the title of assistant or acting sergeant-at-arms, saying that the proprietors of the Grand Pacific Hotel had provided a room to be used by the commission as headquarters during their session in Chicago. It was an act of courtesy on the part of Mr. Drake, the proprietor of the Grand Pacific Hotel.

Having occupied that room for eight days, the commission voted that \$200 should be paid to this self-styled sergeant-at-arms; but, when the voucher came to the Secretary of the Treasury, he referred to this circular and said: "This room and its furniture were provided as an act of hospitality by the proprietor of the Grand Pacific Hotel, and yet you want the Government to pay \$200, or \$25 a day, to a self-appointed gentleman who appears to have rendered only personal services to the commission. Now," said the Secretary, very properly, "I will not approve a voucher that gives a man \$25 a day for personal services."

So, also, when the lady managers met in Chicago, a lady whose name I will not give, because she is personally blameless in the matter, acted for a few days as a temporary official. There came to the Treasury Department—and the chief clerk of the Department showed me the correspondence this morning—a so-called voucher from the secretary of the World's Fair Commission giving this lady \$100 for her services.

But the Secretary on examination found that he had paid her traveling expenses, that he had paid her \$6 a day subsistence for all except four days, which intervened between her arrival in Chicago and the day on which she began to draw her per diem as a manager, and he very properly said that if she rendered any services they were personal services, and that he could not allow at the rate of \$25 a day for such services; hence he refused likewise to pay that voucher.

I give these simply as proofs of the inability of such a body as this to deal with the public money, and to show the necessity for specific appropriations by Congress, which shall designate exactly the amount of salary to be given to every official, and shall not put a lump sum of money into their hands to be used, first for the payment of their own salaries, settled according to their own ideas, and the balance to be devoted to the expenses of the exposition.

Now, as I have said, the secretary of that commission receives \$10,000 a year. No man supposes that the duties of the secretary of the national commission are either more responsible, more onerous, or deserving of higher pay than those of a chief clerk of a Government Department. The chief clerk of the State Department receives \$2,750. The chief clerk of the Treasury Department, who is not only chief clerk, but custodian of the building, receives \$3,000 a year. But the secretary of this commission was voted \$10,000 a year and is drawing that amount to-day, as much as the salary of a justice of the Supreme Court, twice as much as that of a Senator or Representative, and \$2,000 more than the Secretary of State or the Secretary of the Treasury.

And that is not all. If you will turn to the by-laws of the national commission you will find that in prescribing the duties of the secretary they further provide:

He shall have power to appoint such assistant secretaries and select such clerical force as shall be necessary properly to conduct the business of the commission, subject to the approval of the executive committee.

Mr. CHEADLE. Will the gentleman permit a question?

Mr. WILSON, of West Virginia. Certainly.

Mr. CHEADLE. Is any one justifying that reckless expenditure of the public money?

Mr. WILSON, of West Virginia. The sundry civil bill carries an appropriation to meet it.

Mr. CHEADLE. Then I will not vote for it.

Mr. WILSON, of West Virginia. Here, then, is a secretary, who for duties which certainly are not onerous is to-day drawing \$10,000 a year of the public funds and is empowered to appoint such assistant secretaries and clerical force as he thinks he ought to have, subject only to the approval of the executive committee.

And in his report to the executive committee, October 21, which was unanimously approved, the secretary says:

A careful consideration of the immense amount of work that will have to be done through the secretary's department of the national commission will at once convince any one that, in addition to a large force of clerks, stenographers,

and typewriters, which will have to be increased as the work progresses, I must have, for the successful and satisfactory discharge of the duties of my office, at least two assistant secretaries.

And they were allowed him.

I went to the Treasury Department this morning to get a list of his employes and the salaries. According to the vouchers that have been paid, there are, first, the secretary at \$10,000, a chief clerk at \$3,000, and an accountant at \$1,500, a file clerk at \$1,200, a clerk at \$1,200, a stenographer at \$1,200, another stenographer at \$900, a clerk at \$720, mail clerk at \$600, and a messenger at \$600. These are in the secretary's office in Chicago and are paid out of the public Treasury, paid out of the money appropriated for carrying on the fair.

When you turn to the other offices you will find that they are equipped in the same way. The office of the president has a stenographer at \$1,200 and a messenger at \$600. The vice chairman himself has \$8,000, and in his office is an assistant secretary to the executive committee who receives \$3,000. Then there is a director general who is paid \$15,000, and he has a chief clerk at \$3,000, a stenographer at \$1,200, a clerk at \$900, and a clerk at \$720.

So, then, out of the money set apart by Congress to be expended for the part which the Government is to perform in the fair, there has been organized a department almost as large as one of the Departments in Washington, with salaries greatly in excess of what this House would ever appropriate for public officials; and here is a standing authority given by the commission, authorizing its secretary to increase the appointees of his office whenever he thinks it should be done and the executive committee will approve.

The total amount of the salary list, as I got it from the Treasury Department this morning, is \$68,540; and of course, with this authority to increase the appointees as the fair develops, the list will swell until it may swallow almost the entire Government appropriation.

Mr. McRAE. I would like to ask my friend if the act appropriating this money did not require that these salaries should be approved by the Secretary of the Treasury.

Mr. WILSON, of West Virginia. It did provide that they were to be approved by the Secretary of the Treasury, and the Secretary declined to approve the two vouchers I have referred to; and you will find in our report his letter in which he states that he most reluctantly approves them; and he gives as his reason that he did not like to put his personal opinion in antagonism with the unanimous action of the commission.

Mr. McRAE. Then he did approve them?

Mr. WILSON, of West Virginia. He approved them very reluctantly and stated he thought them greater than Congress contemplated.

Mr. McRAE. Then we ought to repeal the act if there is no other way to defeat the fraud in fixing these salaries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYERS. I yield ten minutes more to the gentleman from West Virginia.

Mr. WILSON, of West Virginia. Mr. Chairman, the total expenditures of the commission, as shown by the books in the Treasury Department, thus far amount to \$97,283.49, and, leaving out the rent and contingent expenses, but including the salary for the balance of the fiscal year, the expenses will be \$124,593, or including all they will reach about \$150,000 a year.

Now, our report says that these salaries should be cut down and the other expenses of the commission reduced, especially by limiting the number of their meetings a year. They had already held three full meetings, they had laid out a large number of committees, and it had even been suggested, we were told, that the committee on mines and mining should have its headquarters at Denver; that the committee on transportation should have its headquarters at New York, and that the committee on education should have its headquarters at Minneapolis; and these committees would also have required stenographers, clerks, and messengers, paid at the Government expense. No wonder the telegraphic dispatches in this morning's papers tell us that the president of the commission has already stated that Congress will be called on to give two or three million dollars more to this exposition.

Mr. WALKER and others. Five millions.

Mr. WILSON, of West Virginia. Five millions. Of course, if the United States are to pay all these salaries and are also to assume full control, through their own director general and other officials, of the running of the exposition, there can not but result waste of money and large deficiencies, and the local corporation may rightly say, "You have incurred these deficiencies and expenditures and should make them good out of the national Treasury."

Now, Mr. Chairman, I would like to go more into detail. My time permits me now only to call attention to these facts, trusting that gentlemen will examine for themselves the reports and other data. If they do I am sure they will agree with me that it is our duty to earmark all our appropriations and to cut them down to reasonable figures. We have thought that as the president is paid out of the Treasury the director general should be paid by the local corporation, and we recommend that these salaries should be cut down so as to give not more than \$5,000 to the president and not more than \$4,000 to the vice chairman of the executive committee.

I have not found in these minutes anything specific that he is re-

quired to do. He is to perform such duties as may be assigned him by the commission or its executive committee, and receives at present \$8,000 per year.

Mr. HOLMAN. Will the gentleman permit a question?

Mr. WILSON, of West Virginia. Certainly; I invite questions.

Mr. HOLMAN. What are these high-salaried officials created by the national board doing now?

Several MEMBERS. Drawing their salaries.

Mr. WILSON, of West Virginia. Well, sir, I once heard a gentleman from Kentucky, Mr. Oscar Turner, in the course of a speech in this House, define what he called a "sinecure." He said it was "a place with nothing to do and a damn sight of pay" [laughter]; and I am under the impression that a good many of these positions are "sinecures." [Laughter.]

We have also, contrary, I think, to the intention of the House, another body that is difficult to deal with, because it is composed of one hundred and fifteen ladies, with one hundred and fifteen alternates, and if any legislator is bold enough to make an assault upon two hundred and thirty women I would like to see that man. I confess that I am not.

Mr. SPRINGER. Nobody rises. [Laughter.]

Mr. WILSON, of West Virginia. Nobody rises. Now, Mr. Chairman, I feel that I am walking upon very thin ice and I shall try to be as nimble as I can. [Laughter.] I have no criticism to make upon these ladies. They came there; they were invited to come. Their expenses were paid. An admirable selection, I believe, was made for president, a lady of high intelligence and of great executive capacity. As was natural, she immediately sent out to all the members of the board a very spirited appeal, asking them to look sharply after their Members and Senators to see that that part of the World's Fair law which authorized the creation of that board of ladies was not changed.

That was perfectly natural. I am sure every one of us has received almost irresistible letters from the lady managers of his own State, appealing to him to stand by the provisions of the law in relation to the ladies and to permit no change in that respect. We do not propose any change in the law in that respect, but we do propose in our report, in the interest of the taxpayers, to limit the number of meetings that shall be held, both by the national commission and by the board of lady managers.

Mr. SPRINGER. Is it not due to the lady managers to state that no complaint is made by your committee of their expenditures up to this time?

Mr. BRECKINRIDGE, of Kentucky. I object to that question upon the ground that no gentleman is obliged to criminate himself. [Laughter.]

Mr. WILSON, of West Virginia. I was about to throw myself upon the protection of the House and ask to be relieved from answering that question. [Laughter.] But seriously, Mr. Chairman, I disclaim making any criticism upon the board of lady managers. We have them and we do not propose to get rid of them. We simply propose to help them perform the duties incumbent upon them in such a way that no criticism can be made. True, we would prefer a much smaller board and a fuller representation on it of industrial women.

Mr. ALLEN, of Michigan. I wish to ask the gentleman a question. How did your committee come to the conclusion that it was not necessary for these lady managers to meet oftener than once in six months in order that the work intrusted to their hands should be properly done? How were you enabled to fix so definitely the number of times when the meetings of these lady commissioners should be held and to determine that no meeting was necessary oftener than once in six months?

You propose to forbid their meeting until the dedication and opening of the exposition. Now, how did you ascertain that no meeting would be necessary before that time? Of course you must have some reason for that other than sentiment.

Mr. WILSON, of West Virginia. Yes, sir.

Mr. ALLEN, of Michigan. I know that some of the ladies acting in that capacity are the peers of any man in this House so far as ability is concerned, unless I ought to except the gentleman from West Virginia, and that they neither want to spend money needlessly nor to undertake to cheat the people. Therefore I would like my friend to state some reason aside from mere sentiment why he thinks, as he substantially does, that the resolution should fix a limit upon the frequency of their meetings.

Mr. WILSON, of West Virginia. I assure the gentleman that we are not criticising these ladies. In truth they have not been disposed to extravagance in their expenditures. But there are two answers to the gentleman's question: first, that given by my friend from Massachusetts in front of me [Mr. WALKER], that it was not necessary to have the ladies meet more than once every six months, because they could give enough advice at one meeting to last the men for half a year. [Laughter.] But the real reason was that we saw from the meeting of the national commission that so large a body as one hundred and fifteen, composed in part of the lady managers and in part of their alternates, was not, and could not be, a business body, and that the very purpose had in view by Congress in providing for lady managers would

be better subserved by limiting the meeting of the full board and allowing the work in the mean time to be done through appropriate committees.

Mr. MCOMAS. Meeting every six months for advice, and no oftener, the ladies of the committee would be likely to give the men "many lengthened sage advices." [Laughter.]

Mr. WILSON, of West Virginia. Yes, sir; I presume so.

Now I hope that members of the House will read the report of the committee and that in the course of the debate we may be catechised in order that we may give the House all the information we have.

[Here the hammer fell.]

Mr. SAYERS. I yield to the gentleman from Kentucky [Mr. BRECKINRIDGE].

Mr. BRECKINRIDGE, of Kentucky. My distinguished friend who has just taken his seat [Mr. WILSON, of West Virginia] was asked by some gentleman—I think by the gentleman from Indiana [Mr. CHEADLE]—whether anybody justified these extravagant salaries; and he answered that the report of the Appropriations Committee in the sundry civil bill appropriates enough for these salaries. The meaning of which answer is, of course, that my friend means to charge the Appropriations Committee with justifying these salaries and the conduct upon which he has animadverted.

I submit to him that in this suggestion he was not as ingenuous as he generally is, because the Appropriations Committee is not a legislating but an appropriating committee, and its duties are confined by the rules of this House to appropriating what are prescribed expenses under the law. It has nothing to do with the propriety of the law, simply to obey it; and that it has done with the least degree of appropriation that it could conscientiously propose. All that my friend has said in the way of criticism applies properly not to the Committee on Appropriations, but to the act of Congress, for which he and the gentleman from Massachusetts [Mr. CANDLER] who opened this debate, and the gentleman from New York [Mr. FLOWER], and every member of this committee voted, and which I voted against, and to the interpretation put upon it by those appointed by the President—the governors of the respective States—to execute its provisions.

Mr. CHEADLE. The gentleman has said that it is the duty of the Committee on Appropriations to make appropriations, not to legislate. I would like him to point out the law which authorizes the payment of these salaries.

Mr. BRECKINRIDGE, of Kentucky. The law not only authorizes, but actually requires these payments. I am going to do exactly what the gentleman asks—refer to the law on this subject. I am not to defend what this commission has done. I do not approve all that it has done; but I propose to state the reasons why the Appropriations Committee felt that it was its duty to do exactly what it has done: to point out that what the gentlemen of the World's Fair Committee are undertaking to do can not be done by means of an attack upon this sundry civil bill, but must be done by legislation properly considered as such by the House.

I hold in my hand the act of Congress providing for this World's Fair. Let us go back and see what is required by this act, against which I voted and for which my friends from Massachusetts, from New York, and from West Virginia voted. This act creates a commission and provides what shall be the number of its members: two from each State and Territory, eight commissioners at large, and two from the District of Columbia. Thus it will be seen that Congress fixed the unwieldy number of the commission.

The commission was brought into existence by the act of Congress. When brought into existence by the law its duties confronted it. Those duties, as defined in the law, are substantially that it shall accept the site of the ground, that it shall accept the plans of the building, that it shall approve what the Illinois corporation may do as to the purchase of a site and the plans and specifications of the buildings, that it shall be satisfied that \$10,000,000 will be provided in ample time for its needful use during the prosecution of the work.

These are supervisory powers; but they are absolutely necessary, and on their wise exercise the success of the enterprise depended. Then direct and primary powers were imposed upon the commission. They are required to "allot space for the exhibitors, prepare a classification of the exhibits, determine the plan and scope of the exposition, appoint all the judges and examiners, to award all premiums, if any, and generally to have charge of all intercourse with the exhibitors and with the representatives of foreign Governments."

These are the duties imposed by the law. They are not supervisory duties. I say with great respect to the distinguished lawyers who are on this Committee on the World's Fair that they are wholly mistaken in their interpretation of this act when they hold that these duties are supervisory. They are not supervisory, nor are they transient. They commenced when the enterprise commenced by the approval of the selection of a site; they end with the close of the exposition by the award of the premiums. In no mode could Congress more clearly have pointed out the continued existence of that commission than it has done in making it begin before the Illinois corporation could turn a spadeful of earth and making it end after the Illinois corporation has finished its work by awarding the premiums at the close of the exposition.



So that the commission had to continue during the whole time of the exposition and then report after it is all through, so that it outlasts the existence of the fair itself. It must exercise control during all this time, and this is the necessity of its organization.

My friend from West Virginia has commented on the board of lady managers. The act "required" that commission to appoint these lady managers. It did not merely "authorize" it; but the language is:

And said commission is authorized and required to appoint a board of lady managers, of such number and to perform such duties as may be prescribed by said commission.

What rule was to be adopted for the appointment of a board of lady managers? Congress said that this commission should consist of two from each of the States of the Union. What more natural than that it should be provided by the commission, in carrying out the provision of law as just quoted, that the same order should be adopted with regard to the board of lady managers? As to whether they selected the right ladies is a question, of course, with which I have nothing to do, nor whether the governors of the States selected the right gentlemen.

That commission met and organized, and it organized under the law providing that the commissioners and the alternate commissioners appointed under the act were not to be entitled to any compensation for services whatever—

except their actual expenses for transportation and the sum of \$6 per day for subsistence for each day they are necessarily absent from their homes on the business of such commission.

The officers of said commission—

And I ask the attention of my friend from Indiana [Mr. CHEADLE] to this, who has made reference to the salaries provided for these commissioners—

The officers of said commission shall receive such compensation as may be fixed by said commission, subject to the approval of the Secretary of the Treasury which shall be paid out of the sums appropriated by Congress in aid of such exposition (section 19).

They fixed the salaries and other expenses and the Secretary of the Treasury approved them, and the Secretary of the Treasury transmitted the estimate to the Committee on Appropriations, which estimate I have here on my table and which we cut down about \$30,000.

It may be suggested that because the salaries were fixed by law we had no right to cut down the estimate. But we did it because there were certain employes that we believed were under the control of the commission, and certain expenses for messengers, etc., under the commission, whose salaries perhaps did not come under the provision of the law I have cited, and therefore, with a view of curtailing the expenditures as much as possible, we cut down the estimate something over \$30,000.

Hence there is no justification by the Committee on Appropriations for anything the commission saw proper to do; nor have we the right to justify or to censure them. Our whole duty was to appropriate, appropriate within the limits of the law, exercising whatever discretion may be vested in the Committee on Appropriations by appropriating a sufficient amount to comply with our interpretation of the law, to require a stricter economy, if we had the power, and yet to allow the World's Fair to be a success. We believe our act is within the law, though there may be doubt of our power to withhold any part of the estimate.

Mr. BLOUNT. Mr. Chairman, I would like to ask my friend a question.

Mr. BRECKINRIDGE, of Kentucky. Certainly.

Mr. BLOUNT. As to the expenditures which you say you did cut down—

Mr. BRECKINRIDGE, of Kentucky. Yes, sir.

Mr. BLOUNT. Now, does not the law which allowed that commission, subject to the approval of the Secretary, to fix the salary of the general officers of the commission, also allow them to determine what expenditures are necessary?

Mr. BRECKINRIDGE, of Kentucky. I doubt that, and it was because we doubted it that the committee exercised the discretion. The language of the nineteenth section is:

The officers of said commission shall receive such compensation as may be fixed by the said commission, subject to the approval of the Secretary of the Treasury.

All future expenses are of course not yet "approved" by the Secretary, and perhaps his power to approve may be limited by the sums appropriated by Congress. Salaries are permanent.

This section applies only to the salary of the officers.

The eighteenth section is:

SEC. 18. That for the purpose of paying the expenses of transportation, care, and custody of exhibits by the Government and the maintenance of the building or buildings hereinbefore provided for, and the safe return of articles belonging to the said Government exhibit, and for the expenses of the commission created by this act, and other contingent expenses, to be approved by the Secretary of the Treasury, upon itemized accounts and vouchers, there is hereby appropriated for the remainder of the fiscal year and for the fiscal year ending June 30, 1891, out of any money in the Treasury not otherwise appropriated, the sum of \$300,000, or so much thereof as may be necessary: *Provided*, That the United States shall not be liable, on account of the erection of buildings, expenses of the commission or any of its officers or employes, or on account of any expense incident to or growing out of said exposition, for a sum exceeding in the aggregate \$1,500,000.

So the amount asked being \$70,000, the salaries being \$45,000, we

gave \$10,000 more than the salaries. Instead of giving \$70,000 we gave \$55,000, in the hope that they would hereafter exercise the power that they have to cut down their salaries and use what they took from the salaries for the remainder of the expenses.

Mr. BLOUNT. But did the law contemplate how the expenditures were to be divided?

Mr. BRECKINRIDGE, of Kentucky. I am not prepared to say, because this law is ambiguous. The commission should undoubtedly do it.

Mr. BLOUNT. I want to ask the gentleman further: Is there anything in it contemplating a division of these expenditures by Congress?

Mr. BRECKINRIDGE, of Kentucky. None whatever.

Mr. BLOUNT. Then is there not a good deal of difficulty about it?

Mr. BRECKINRIDGE, of Kentucky. Undoubtedly; and, as I said, it was a matter of doubt; but we solved the doubt under the report of the Committee on the World's Fair, as far as we could, in the line of their report. We had the report of these gentlemen. They were men who had our highest esteem and respect. We desired to go as far as we could with that committee. We heard the chairman of that committee, and speaking for myself alone, though I think I speak the views of the committee, we desired to do in the matter what we could do to make the fair a success, on the one side throwing no obstacle in its way, and on the other side relieving them, as far as we could, from the temptation to future extravagance.

Mr. Chairman, my friend has made some animadversions upon a gentleman whom I am proud to call my friend, formerly chief justice of Kentucky, William Lindsay, whose whole report, with the consent of the committee, I will place in the RECORD, that it may be read. And I will put also in the RECORD the interpretation of this act made by him, and indorsed by the commission, and a letter to me.

To those who know Judge Lindsay no comment upon his character is necessary. He has been the chief justice of Kentucky, performing the duties of that position honorably, and he became, not merely an able lawyer, but a great lawyer. He has no interest in this matter whatever except to do what he believes to be best for the country and the fair; for he never leaves his home for Chicago on this mission that the paltry consideration given is not very much smaller than the loss he undergoes in doing it.

It has been with him purely a public service that a man of large views and great ability frequently gives, out of a sense of patriotic duty. And I think if my friend knew Judge Lindsay, if I could bring the two gentlemen together, each would be grateful to me for that act of kindness to the other.

Mr. WILSON, of West Virginia. Will my friend allow me to say that my only comment upon Judge Lindsay was that when he undertook to criticize the committee he did not inform himself as to the facts on which he was giving his opinion?

Mr. BRECKINRIDGE, of Kentucky. My friend's statement of the facts and Judge Lindsay's statement of the facts disagree. Each is a gentleman of the highest credit and each is entitled to full belief. Evidently there is between them some mistake. The fact that Judge Lindsay does not agree with my friend from West Virginia [Mr. WILSON] is simply another evidence that this is not the best way in which to settle the difficulties about that great fair.

Mr. Chairman, I was not a friend of the World's Fair. I voted against Chicago every time. I voted against the bill creating the World's Fair. I was opposed to the mode in which this committee was appointed. This committee was appointed with two members representing each city, and no man representing the taxpayers excepting my friend from Massachusetts [Mr. CANDLER] as its chairman. There never was a time when there was any chance for any interest to be heard in this committee, except through some gentleman who was either for or against some particular location.

I do not mean to criticize the *personnel* of that committee. Everybody knows my personal kindness to all of them. All of them are men for whom I have the greatest respect, and as to some of them I do not consider it extravagant to say that I consider all the labor I have done in public life compensated for by the fact that they have become my friends.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRECKINRIDGE, of Kentucky. I ask three minutes more.

Mr. SAYERS. I will yield three minutes more.

Mr. BRECKINRIDGE, of Kentucky. I have, therefore, not taken the interest in the fair that probably others have, but now it has gotten on its feet. It is a great enterprise. The honor not only of Chicago and Illinois, but of all America, is involved in it. Perhaps there has not been such carefulness of expenditure as might have been, but I believe that the adoption now of the motion to strike out this appropriation will do harm to the fair without doing any corresponding good.

I believe that with the report of the Committee on the World's Fair, with the debate that we have had here, with the light of public opinion cast upon the action of that commission and of the members of the committee, there will be a greater degree of prudence, a more careful husbandry of means, a keener realization of the responsibilities of the position, and a more anxious desire to make the fair a success, with probably somewhat less of self-seeking.

It is the duty of this body, the duty of all of us, to help and not to



hinder this enterprise; to make the fair a success, and not a failure. I have that feeling about it. As a member of the Committee on Appropriations, anxious to do my duty, I have concurred in recommending an appropriation that seems to me to be most liberal and yet as small as our power extended.

I yield back my time, if I have any remaining; but I desire to put into the RECORD the papers of which I have spoken.

The CHAIRMAN. The gentleman asks unanimous consent to print certain papers with his remarks. Is there objection? The Chair hears none.

The papers referred to are as follows:

Report of the judiciary committee, defining the rights, duties, and powers of the World's Columbian Commission.

SEPTEMBER 15, 1890.

Your committee, acting in obedience to the preamble and resolution adopted by this commission on the 1st day of July, 1890, as follows, to wit:

"Whereas it is obviously important that the powers and jurisdiction of this commission should be definitely ascertained and clearly understood, to the end that its efficiency may be promoted and maintained and so as that all controversy as to the lawful exercise of its power may be avoided: Therefore,

"Resolved, That a special committee of six be, and is hereby, constituted, to be appointed by the president in accordance with the spirit of the act of Congress, to consider the question of the rights, duties, and powers of this body under the said act; and to submit a report of its deliberations, defining the quality, character, and extent thereof to the next adjourned meeting of the commission," beg leave to report that they have given to the question of the rights, duties, and powers of this body, under the act of Congress, due consideration, and submit the following as their conclusions:

The act of Congress declares that the proposed exhibition of the resources of the United States of America, of their development, and of the progress of the New World, shall be of a national and international character, and in express terms inaugurates an exhibition of arts, industries, and products of the soil, mine, and sea, in the city of Chicago, in the year 1892, as thereafter provided.

This commission is one of the instrumentalities by and through which the will of Congress in relation to the proposed exhibition is to be carried into effect, and in the determination of the powers, rights, and duties of this body the facts are to be kept in view that the exhibition is to be of a national and international character, and that for its success the Government of the United States will be regarded as the responsible agent.

The World's Columbian Exposition, a corporation created under and in virtue of the laws of the State of Illinois, is another of the agencies or instrumentalities through which the will of Congress is, in important respects, to be carried out. That corporation has voluntarily undertaken to exercise the powers and discharge the duties conferred and imposed upon it by the act of Congress.

The relative rights, powers, and duties of the Illinois corporation and of the World's Columbian Commission constitute the principal subjects of inquiry to which your committee have directed their attention.

The powers of this commission are in some respects original and exclusive, in others supervisory and collateral.

Among the original and exclusive powers of the commission may be named the power to allot space for exhibitors; to prepare a classification of exhibits; to determine the plan and scope of the exposition; to appoint all judges and examiners for the exposition; to award all premiums, and generally to have charge of all intercourse with the exhibitors, and with the representatives of foreign nations.

This commission has power and authority to appoint necessary officers and committees and to fix the pay of such officers, subject to the approval of the Secretary of the Treasury.

Within the domain of its own authority, the commission may confer upon its chief ministerial officer or officers, and his or their subordinates, such executive and ministerial powers and impose such duties as will tend to promote the efficiency of every agency employed. Those officers, when appointed, will be the officers of the commission, and will be paid out of the funds appropriated by Congress in aid of the exposition.

In this connection it is suggested that the commission may so regulate and define the powers and duties of the members of the board of lady managers as to constitute them officers, and in such event (subject to the approval of the Secretary of the Treasury) their compensation may be fixed and provision made for their payment.

This commission is not charged with any duty in regard to the selection of the site or grounds for the exposition or to devising or preparing the plans and specifications for the buildings to be erected thereon, other than the power and duty to reject or to accept and approve the same.

It is the duty of this commission to notify the President of the United States when provision shall have been made for the buildings contemplated by the act of Congress, and, when such buildings shall have been erected, to provide for their dedication with appropriate ceremonies.

The commission is also to report to the President from time to time the progress of the work, including such regulations as it may adopt, and in the final report present a full exhibit of the results of the exposition.

Your committee submit further that the action of the commission in the approval of the site, or in the approval of plans and specifications for the buildings, does not necessarily exhaust or extinguish its power over these subjects. Such action may be reconsidered, but of course the reconsideration must be had within reasonable time and upon good and sufficient grounds.

The Illinois corporation is charged with the duty of furnishing the necessary grounds and buildings for the exposition, this duty to be exercised, as has already been seen, subject to the power of this commission to approve or disapprove either the site or the plans and specifications for the buildings.

When the site shall have been finally selected and accepted, and the plans and specifications for the building finally approved, the preparation of the grounds and the erection of the buildings will fall within the scope of the powers conferred upon the Illinois corporation, and this commission and the public must rely upon the zeal, energy, and good faith of that corporation and its managing officers for the due performance of these most important duties.

Whilst the Illinois corporation, "The World's Columbian Exposition," has power to prescribe rules and regulations governing rates for entrance and admittance fees, and otherwise affecting the rights, privileges, and interests of exhibitors and the public, and for the general conduct of the financial affairs and the orderly management and control of the exhibition during the time it may continue, that power is to be exercised subject to the right of the majority of this commission to modify such rules and regulations, and subject to the exclusive power of this commission to allot space to exhibitors, to classify exhibits, to determine the plan and scope of the exhibition, to appoint judges and examiners, to award premiums, and generally to have charge of the intercourse with exhibitors and with the representatives of foreign nations.

The Illinois corporation is to supply the necessary funds, and furnish the grounds and buildings, and generally to have direct control of the administrative details in the management of the exposition during the time it shall be

open to the public, and for these purposes will act through its own officers, agents, and employes.

The power of general supervision and control, and as to the matters hereinbefore specifically named, of exclusive control, rests in and must be exercised by this commission, to the end that there shall be given to the exposition that national and international character contemplated by the Congress of the United States.

All of which we respectfully submit.

WILLIAM LINDSAY,  
GEO. V. MASSEY,  
J. W. ST. CLAIR,  
L. GREGG,  
B. B. SMALLEY,  
WM. J. SEWELL.

Opinion of Hon. William Lindsay, chairman judiciary committee of the World's Columbian Commission, upon the report of the Congressional subcommittee of the Select Committee on Quadro-Centennial of the Discovery of America.

CHICAGO, January 22, 1891.

DEAR SIR: In response to your request of this date, I submit the following summary in the way of a review of the report of the Congressional subcommittee concerning the proceedings of the World's Columbian Commission, and as an expression of opinion as to the consequences that must follow the adoption of the joint resolution recommended by that committee.

The report would have greater merit if it rested upon a more accurate statement of facts. For instance, the Congressional committee claims that the divergence of opinion between the national commission and the local directory as to the functions of each organization delayed the selection of a site for the exposition, and that the site was finally selected through their instrumentality and because of their intervention. Now, the facts are that at the June meeting, 1890, the local directory tendered a site and the commission accepted it. At the September meeting, 1890, the local directory found itself embarrassed as to the control of a portion of the site accepted at the June meeting and tendered additional ground, which the commission duly accepted. At the November meeting, 1890, the site question was not reopened, but, on the contrary, the commission formally resolved that it should remain undisturbed.

Therefore, it is clear that the commission has been in no wise responsible for the delay, if there has been any, in the selection of the site.

The Congressional committee say that, through their presence in Chicago and in pursuance of their suggestions, the question of a site was settled to the satisfaction of both organizations.

Now, as a matter of fact, the site was not settled during the visit of the Congressional committee to Chicago, nor was it settled, so far as the national commission is concerned, pursuant to any suggestions, either direct or indirect, made by that committee to that body. In fact, the views of that committee upon the question of site were never mentioned or referred to in the deliberations of the national commission, and the settlement of the September meeting, which has never been reopened, was made before the adoption of the Congressional resolution authorizing their visit.

These are but specimens of the inaccuracies of statement throughout the report of the committee, whenever any question of fact becomes material to support the conclusions the committee reached.

An examination of the act of Congress will show that the commission has in no instance exceeded the authority conferred upon it by that act.

The fourth section of the act gave the commission express authority to elect such officers and appoint such committees as they might deem expedient.

The nineteenth section provides expressly that the officers of the commission shall receive such compensation as may be fixed by the commission, subject to the approval of the Secretary of the Treasury, which shall be paid out of the sums appropriated by Congress in aid of the exposition.

The local directory had fixed the salaries of their officers before the September meeting of the commission, and the commission took the standard as fixed by the directory as some indication of what their own officers ought to be paid, and fixed the salaries of their officers, in most instances, at sums less than were paid the officers of the local directory. Their action in this regard, whilst criticised by the Secretary of the Treasury, was approved by him and the question of salary thus closed.

It must be borne in mind that the tenure of these offices is uncertain, and their employment necessarily temporary. It is essentially important that they should be filled by representative men, well equipped for the discharge of the varied duties incident to their respective stations. Those duties require the abandonment of all private business, the removal of the incumbents to Chicago, and their continued residence in that city during the course of their work.

The salaries fixed are not in excess of salaries paid by the average railroad and other business corporations to officers performing like duties with those to be performed by the officers of this commission, and it is not to be forgotten that the president of the commission has, time and again, avowed his intention to draw only so much of his salary, from time to time, as may be necessary to pay the actual expenses incurred by him in the discharge of his duties.

The Congressional committee say that "Congress did not intend that the Government, through the commission, should assume the active management of the fair, but intended that the commission should exercise a supervision over those details which pertained to the Government's exhibit, and also over the relations of the fair with foreign nations, so as to give a distinctive national indorsement to the enterprise."

If there is any one department over which the national commission is given no control by the act of Congress, it is the Government's exhibit.

As to that exhibit, the sixteenth section of the act provides as follows: "To secure a complete and harmonious arrangement of such a Government exhibit, a board shall be created to be charged with the selection, preparation, arrangement, safe-keeping and exhibition of such articles and materials as the heads of the several Departments and the directors of the Smithsonian Institution and National Museum may respectively decide shall be embraced in said Government exhibit." This board is to be composed of one person to be named by the head of each Executive Department, and one by the directors of the Smithsonian Institution and National Museum, and one by the Fish Commission, such selections to be approved by the President of the United States.

The Secretary of the Treasury is to cause the building or buildings necessary for the Government exhibit to be erected, at an expense fixed in the act, and all matters of detail relating to this exhibit are withheld from the control of the commission, the opinion of the Congressional committee to the contrary notwithstanding.

In attempting to summarize the powers and duties of the commission, Mr. CANDLER's report says: "The duties of the commission may be classified as affirmative and negative, national and international, preliminary and continuous. Their national duty is to see that every part of the nation receives impartial treatment. They are to be the medium through which foreign nations and exhibitors get their standing. Around these two duties may be grouped all their powers, both negative and affirmative, and it is for the proper performance of these duties that their specified powers were given them."

In summarizing their own powers, the commission define them thus: "The powers of this commission are in some respects original and exclusive, in others supervisory and collateral. Among the original and exclusive powers of the



commission may be named the power to allot space for exhibitors, to prepare a classification of exhibits, to determine the plan and scope of the exposition, appoint all judges and examiners for the exposition, to award all premiums, and generally to have charge of the intercourse with exhibitors and with the representatives of foreign nations.

Mr. Candler's committee says that the commission is generally to have charge of the intercourse with the foreign exhibitors and representatives of foreign nations. The act of Congress will show whether the commission or the Congressional committee give it the proper interpretation. Section 6 of the act of Congress is in these words: "That the said commission shall allot space for exhibitors, prepare a classification of exhibits, determine the plan and scope of the exposition, and shall appoint all judges and examiners for the exposition, award all premiums, if any, and generally have charge of all intercourse with the exhibitors and the representatives of foreign nations."

The local directory here has at no time denied that, under the act of Congress itself, the commission is to allot space for all exhibitors, home as well as foreign, and to prepare a classification of all exhibits, home as well as foreign, and to determine the plan and scope of the exposition, and to appoint judges and examiners for the exposition, and to award all premiums. But at the outset they did deny that the commission was to have charge of all intercourse with the home exhibitors, and insisted that such intercourse was to be, as the committee indicate, with foreign exhibitors and the representatives of foreign nations only.

The Congressional committee does not deny—though it is somewhat obscure upon this point—that the commission is to allot space for all exhibitors, home as well as foreign, and a cursory examination of the section will show that the exhibitors with whom the commission is to have "all intercourse" are the same exhibitors to whom it is to allot space. Therefore it follows that the national commission is to have all intercourse with the exhibitors at the exposition, home as well as foreign, and with the representatives of foreign nations, and any other construction would denationalize the exposition so far as American exhibitors are concerned.

The most objectionable feature in the report of the Congressional committee is the manner in which it disposes of the settlement between the two bodies, the national commission and the local directory, of all questions of jurisdiction and their agreement upon a plan which is conceded on all hands will insure the success of the exposition. To this fact bare reference is made.

That settlement was the result of a conference between committees of the two bodies. It was unanimously agreed to by the members of each committee, and unanimously approved and accepted by the national commission and by the board of local directors. By it all questions of merely legal right were expressly waived.

The two bodies agreed that the director general elected by the commission should be the chief executive officer of the exposition. Provision was made for the appointment of subordinate officers, agents, and employees, and for their payment out of the funds controlled by the local directory. The exposition was divided into grand departments; provision was made for the appointment of their chiefs and the payment of their salaries, and power was reserved to the board of local directors to discontinue or reduce the appropriations for any one of these departments when, in their opinion, the interests of the exposition shall so require.

The plan agreed upon settled the scope of the exposition, provided for the management of all its details, and satisfied both bodies, and then made provision, in case controversies should arise, for their settlement through a board of reference.

The concluding clause of the report of the two committees is as follows: "Your committees respectfully suggest that in their opinion the adoption of the foregoing plan will render immaterial all questions of controversy as to the relative rights, powers, and duties of the two bodies they represent, and insure harmonious action in the future." This report was signed upon the part of the local board by Lyman J. Gage, its president, Thomas B. Bryan, its vice president, Ferd. W. Peck, E. Waller, E. T. Jeffrey, Potter Palmer, F. S. Winston, and De Witt C. Cregier; and upon the part of the national commission by J. W. St. Clair, chairman, William Lindsay, Thomas M. Waller, E. B. Martindale, W. J. Sewell, M. H. de Young, George V. Massey, and V. D. Groner.

Upon the plan outlined by that report the organization of the exposition has, thus far, been carried out, without the slightest hitch or controversy between the two bodies and with full confidence on the part of each that all questions of trouble or difficulty as to their respective jurisdictions have been finally and forever removed.

This plan can only be successfully carried out by the joint action of the national commission and the local directory.

The legislation recommended by the Congressional subcommittee, if carried out, will disable the national commission from the performance of the duties resting upon it under this plan of organization, and, one side being disabled, necessarily the other will be correspondingly embarrassed.

The Congressional committee are of the opinion that the chief executive officer of the fair, the director general, is properly an officer of the World's Columbian Exposition corporation, and that, as such, he, with his corps of employees, should be paid from the funds of the corporation, and not from the appropriation made by the Government to enable it to make a display of its resources.

Section 13 of the act of Congress shows that the appropriation was not made merely for the purpose of enabling the Government to make a display of its resources. That section reads: "That for the purpose of paying the expenses of transportation, care, and custody of exhibits by the Government and the maintenance of the building or buildings herebefore provided for, and the safe return of articles belonging to the said Government exhibit, and for the expenses of the commission created by this act, and other contingent expenses, to be approved by the Secretary of the Treasury, upon itemized accounts and vouchers, there is hereby appropriated," etc.

One of the expenses of the commission is the payment of its own officers, and if the director general is properly an officer of the commission then his salary clearly can be paid out of the appropriation.

The commission, as we have seen, finds itself charged with the duty of allotting space to exhibitors and having intercourse with exhibitors and representatives of foreign nations. In order to carry out this duty, if it had no other, it would be necessary that the commission should have an executive officer with a sufficient corps of employees. If the commission is to have intercourse with none other than foreign exhibitors, it must have some officer through whom that intercourse can be had. The director general is the officer who is to discharge these and such other executive duties as may rest upon the commission.

As such an officer was indispensable, so far as the work of the commission was concerned, the two bodies, the local directory and the national commission, by their joint action, agreed that he (the director general) should be the chief executive officer of both bodies. They agreed that the chiefs of the several departments should be appointed by the director general, subject to confirmation by the national commission and the board of directors. They agreed that he should also appoint all subordinates necessary for the administration of the several departments, and that he might remove the officers and employees appointed by him.

They agreed, also, that he should fix the salaries of the chiefs of the several departments, and their several subordinates, subject to the approval of the board of directors of the exposition, and subject to their further right to discontinue or reduce appropriations for any one of the departments when, in their

opinion, the interest of the exposition shall so require. They agreed, also, that all representatives of the exposition, in order to be duly accredited, should be commissioned by the director general under the seal of the commission.

The only part of the expense of the director general and his office that is to be paid out of the fund appropriated by Congress to pay the officers of this commission is his salary and the clerk hire and expenses of his immediate office. All the expenses of all the departments, direct or incidental, are to be paid out of the funds controlled by the local board of directors.

A change in the office of director general, at this time, would involve a complete reorganization of the affairs of the exposition; it would shake public confidence in the stability of anything that has been done, or anything that may be proposed in the future, and would save to the Government, at the most, only the sum of \$20,000 or \$25,000 per annum, and save that by shifting the burden upon the funds controlled by the local directory.

As to the appointment of lady commissioners, this may be said: The act of Congress does not prescribe the number to be appointed. It was deemed proper and right that each State and Territory should have representation. Then came the difficulty of selection. The act of Congress contemplated, so far as the commission was concerned, that it should be equally divided between the two great political parties, and the only solution of the question of how to give each State representation in the board of lady managers, without provoking a political conflict, was to permit each commissioner to name a lady representative.

In addition to this, we have here a great enterprise, national as well as international in its character, absolutely dissociated from the politics of the country, and one in which all the people, women as well as men, are interested, and it is not to be assumed that the Government did not intend that the women of the country should, as to this enterprise, be placed upon a footing of equality, as an integral part of the management.

This was the view taken by the commission. If the Congressional committee and the Congress of the United States see proper to overrule the commission in this regard, of course the commission will be compelled to bow to their adverse judgment.

Experience has thus far demonstrated that the board of lady managers have spared no effort to excite public interest in the exposition, and that their efforts have been met, on every hand, with success of the most unequivocal character.

The adoption of the resolutions recommended by the Congressional committee may not abate the zeal of these lady managers, but it will necessarily diminish their power and usefulness.

Before the board of lady managers was called together the question of their compensation was laid before the Secretary of the Treasury, and the plan for their payment approved by him. It will thus be seen that in every step taken by the commission it has kept literally within the letter of the law, and all the charges or insinuations of the Congressional committee that it has exceeded its powers or abused them are unwarranted by the facts or by the law.

A comparison of the act of Congress with the report of the commission's committee, defining its rights, duties, and powers, will show perfect harmony between the provisions of that act and the report of the committee.

The Congressional committee is of the opinion that if the officers of the national commission are to assume control of the fair in its executive details, it will be necessary to support or give effect thereto by new legislation and additional appropriations.

The commission has certainly never claimed the right or power to assume control of the fair in its executive details; upon the contrary, it has been expressly declared on all occasions that the Illinois corporation is charged with the duty of furnishing grounds and buildings for the exposition; that it has power to prescribe rules and regulations governing rates for entrance and admittance fees, and otherwise affecting the rights, privileges, and interests of exhibitors and the public, and for the general conduct of the financial affairs and the orderly management and control of the exhibition during the time it may continue, and to carry out those rules through its own officers by its own employees, and in its own way, subject only to the power expressly conferred upon the national commission, to modify those rules and regulations, and to allot space to exhibitors, to classify exhibits, to appoint judges and examiners, to award premiums, and generally to have charge of all intercourse with exhibitors and the representatives of foreign nations.

In defining its own powers and duties the commission says: "The Illinois corporation is to supply the necessary funds and furnish the grounds and buildings, and generally to have direct control of the administrative details in the management of the exposition during the time it shall be open to the public, and for these purposes will act through its own officers, agents, and employees."

It will thus be seen that there is not the slightest danger of the national commission assuming the discharge of those executive duties which, in the opinion of the Congressional committee, would involve the necessity for further appropriations.

There are other points in the report which might be noticed, but the foregoing seems to cover all that is material.

I am, very truly, yours,

WILLIAM LINDSAY,  
Chairman Judiciary Committee.

HON. THOMAS W. PALMER,  
President of the World's Columbian Commission.

OFFICE OF THE PRESIDENT, WORLD'S COLUMBIAN COMMISSION,  
Pullman Building, Chicago, Ill., U. S. A., January 20, 1891.

MY DEAR COLONEL: I find the officials of the World's Columbian Commission, as well as those of the Chicago local directory, somewhat disturbed over the report of Mr. Candler's special Congressional committee.

That report is based upon a misapprehension of the existing state of affairs, and is a misinterpretation of the provisions of the act of Congress.

There were controversies at the outset between the commission and the local directory. These controversies arose out of the unskillful and inartistic manner in which the act of Congress was prepared.

The commission appointed a committee to construe the act of Congress and to define its powers and duties. That committee's report, made September 15, 1890, was adopted by the commission. You will find it on page 71 of the official manual, which I send you.

The only point made against the report by the local directory was as to the right and power of the commission "to have charge of all intercourse with the exhibitors and with the representatives of foreign nations." Their claim was that the intercourse with the exhibitors should be confined to foreign exhibitors. The opinion of the commission was that to so confine it would denationalize the exposition and place the home exhibitors at the mercy of the local management at Chicago.

Section 6 of the act of Congress (see Official Manual, page 360) provides:

"That the said commission shall allot space for exhibitors, prepare a classification of exhibits, determine the plan and scope of the exposition, and shall appoint all judges and examiners for the exposition, award all premiums, if any, and generally have charge of all intercourse with the exhibitors and the representatives of foreign nations."

There is no dispute that the commission is to allot space to all exhibitors, home as well as foreign, and to prepare a classification of all exhibits, home as well

as foreign, and the exhibitors with whom the commission is to have intercourse are clearly and plainly the same exhibitors to whom the commission is to allot space.

A comparison of the report with the act of Congress will show that the construction given, in every particular is the fair, natural, and necessary construction, and the only one that would preserve the national character of the exposition. But, independent of all questions of disputed jurisdiction, the following fact ought not to be lost sight of, and it was given little or no prominence in the report of the Congressional committee.

In November last the national commission and the local directory each appointed a committee for the purpose of conferring together and settling all questions of dispute, in order that all matters of jurisdiction might be relegated to the rear forever.

Those two committees agreed unanimously upon a plan of operation. That plan was unanimously accepted and approved by the commission and by the local directory. It settled that the director general, elected by the commission, should be the chief executive officer of the enterprise and thereby made him the chief executive officer of both bodies. It provided for the appointment of all subordinate officers, and for their pay. It outlined a complete plan for the preparation and the management of the exposition, and under that plan the work has been progressing satisfactorily and successfully, and without hitch or controversy. (For report, see Manual, page 274.)

The effect of the report of the special Congressional committee will be to reopen controversy and to breed dissatisfaction. Its reflections upon the commission are gratuitous and unfounded, and altogether unnecessary to the resolution which it is proposed shall be adopted by the Congress of the United States.

The commissioners are now engaged, in many of the States, in the work of securing aid from their State Legislatures and exciting local interest in the enterprise. Of course the attack upon them by the Congressional committee will tend to diminish their zeal, and probably defeat State action by those States whose Legislatures are now in session.

If the committee was actuated by a friendly feeling towards the exposition it has taken the very worst possible course to insure its success.

You can see at once that a set of gentlemen who give their time and labor for the nominal consideration provided by the act of Congress, will not be inclined to rest under the imputations contained in the report of the Congressional committee, nor will they continue to work for the success of the exposition if that report shall receive Congressional sanction.

As to the matter of salaries, it is only proper to state that the four or five officers of the commission are paid, relatively, less than the local directory pay their officers of like grades.

The salary of a director general is less than is paid the chief executive officer of average railway companies. His services are indispensable to the success of the enterprise.

I write thus freely as I am upon the only committee the Congressional committee does not attack; the only committee the expenses of which it proposes to pay for the future; I mean the board of reference and control.

Will it be asking too much of you to look into the facts of this matter, and take such steps as may be necessary to see that no injustice is done a set of men who have served, and are willing further to serve, the enterprise for their mere expenses and at the sacrifice of their time and business?

The rejection of the report of the committee will insure a continuance of the present desirable state of affairs; its adoption will, in my opinion, seriously interfere with the success of the exposition.

Further than this, if Congress has made a mistake in the organization of the commission, it is fair that Congress should be candid enough to admit its own mistake and correct it; not follow the lead of the special committee in attempting to shift the necessity for the change upon the unfounded charge that the commission has exceeded or abused its powers. My opinion, however, is that any change made at this time will have a most unfortunate effect upon the success of the enterprise.

Very truly yours,

WILLIAM LINDSAY.

Hon. W. C. P. BRECKINRIDGE,  
House of Representatives, Washington, D. C.

Mr. HERBERT. Will my friend yield to me for a question?

Mr. BRECKINRIDGE, of Kentucky. Certainly.

Mr. HERBERT. I have not looked at the appropriation bill to inform myself whether the Committee on Appropriations, in making the appropriation for the fiscal year, have provided for the salaries as they have been described by the gentleman from West Virginia.

Mr. BRECKINRIDGE, of Kentucky. We did not.

Mr. HERBERT. You only cover the past?

Mr. BRECKINRIDGE, of Kentucky. We simply give for the next year \$55,000 for all the salaries and expenses of the officers, typewriters, stenographers, clerks, and messengers, and everything of that sort.

Mr. HERBERT. Fifty-five thousand dollars?

Mr. BRECKINRIDGE, of Kentucky. Only \$55,000, instead of the \$70,000 asked; and we did not either approve or disapprove of any of the salaries, because we believed we had no more right to do that than we had to approve any salary that is fixed by law. The law authorized the commission to fix the salaries of officers, to be approved by the Secretary of the Treasury. They fixed the salaries; the Secretary of the Treasury approved them; and we have no more power over them than we have over the salaries of members of Congress, the President, the Chief Justice, or any tide-waiter, or gauger, or any other officer in the employ of the Government.

Mr. CLEMENTS. I think the gentleman is mistaken when he says that the Secretary of the Treasury approved all these salaries.

Mr. BRECKINRIDGE, of Kentucky. He did.

Mr. CLEMENTS. Then I was misinformed.

Mr. BRECKINRIDGE, of Kentucky. If my friend will take the report—

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRECKINRIDGE, of Kentucky. If the gentleman will look at pages 4, 5, and 6 of the report of the Committee on the World's Fair, he will see that the Secretary of the Treasury did approve them.

Mr. VAUX. Mr. Chairman, can I be recognized?

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that the disposition of the remainder of the time is under the control of the gentleman from Illinois [Mr. CANNON], and unless

some arrangement is made for the gentleman from Pennsylvania, the Chair will recognize him.

Mr. SAYERS. Mr. Chairman, the gentleman from Illinois has kindly consented to allow me to have ten minutes more, which I will yield to the gentleman from Pennsylvania.

Mr. CANNON. I ask unanimous consent to allow the time to be extended ten minutes. I have promised all my time.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend the time ten minutes. Is there objection? The Chair hears none. The gentleman from Pennsylvania.

Mr. VAUX. Then by the grace and courtesy of my friends upon either hand I have the floor for ten minutes.

The CHAIRMAN. The Chair will recognize the gentleman from Pennsylvania for ten minutes.

Mr. VAUX. Mr. Chairman, there is a state paper to which I had occasion to call the attention of this House six months ago, which I designated as one that was very little understood and its whereabouts hardly known; and further than that, Mr. Chairman, I find that it took the Committee on Printing about six months to find where they could get the original copy or a certified copy to print it for the edification and instruction of the members of this House. They brought in a report the other day authorizing the printing of 3,000 copies of that old state paper, which, I am sorry to say, seems very little to be considered when the Committee on Appropriations of this House has the floor to deal out the money of the people for anything and everybody who may have power or influence enough to get that committee to make an appropriation.

That public document contains these words:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

From that power in the Constitution of the United States this Congress gets its authority to legislate and appropriate the money of the people, and without that they have no such authority; and every dollar of the money of the people that is appropriated outside of that direct power granted to Congress by the Constitution is a spoliation of the property of the people of the United States.

Now, this Committee on Appropriations has reported a bill, and on page 39 of that bill I find certain appropriations made to what is called a World's Fair, or whatever other name you give it. I maintain, Mr. Chairman, that Congress has no constitutional power to appropriate one dollar for that purpose—not one dollar—and if they have appropriated they have done it in violation, I think, of the very power that is given to them to appropriate public money. I will be told that there are precedents for it. I have been told by learned and distinguished members of this House that there were precedents for it. I am sorry to say that they can prove that statement by the record. They appropriated a million and a half to some kind of a celebration or anniversary exhibition at Philadelphia, the Centennial Exposition. It was in violation of the law. Every dollar of it that was given was a direct violation.

Mr. TUCKER. The Constitution, too.

Mr. VAUX. It was a direct violation of law, because the law itself was in violation of the Constitution; and I will say, although this exposition was at my home, I took the ground that they had no power to make that appropriation. They did make the appropriation and what was the result? When the people at Philadelphia had finished up that World's Fair or that Centennial Exposition, they paid back into the United States Treasury every dollar of that \$1,500,000 thus appropriated.

Mr. O'NEILL, of Pennsylvania. I would like my colleague to allow me to interrupt him at this point.

Mr. VAUX. Certainly, I will permit my colleague [Mr. O'NEILL], with whom I see the papers state I have had such a fight, to interrupt me.

Mr. O'NEILL, of Pennsylvania. That million and a half was not paid back because it was loaned by Congress to the Centennial Exposition and that it was unconstitutional.

Mr. VAUX. I did not say it was.

Mr. O'NEILL, of Pennsylvania. I certainly want to have that put in there. Whatever may be contended I think it was within the constitutional power of Congress, and Congress has assumed the power—

Mr. VAUX. The point I make is that it assumed the power.

Mr. O'NEILL, of Pennsylvania. Of making appropriations, and that question of the constitutional right has not been raised as to the power of Congress to make appropriations to handle great public operations such as fairs, the World's Fair and the Centennial Exposition.

My object is to let my colleague know the fact that that million and a half was paid back, not because of any want of constitutional power in Congress to make the grant, but because of the construction which the Supreme Court put upon the language of the law. It never should have been exacted. The Centennial was a success, and the stockholders who got nothing from it ought to have had the benefit of that grant by Congress, but it was paid back under the decision of the Supreme Court as to the meaning of the act.



Mr. VAUX. I am so glad, Mr. Chairman, that my learned colleague from Philadelphia, who started out, as he said, to correct a misstatement of mine, did it by stating himself that this power to appropriate that money for the Philadelphia Centennial and this money to this proposed exposition was obtained by a mere assumption on the part of Congress. Yes, sir; it was an assumption of power on the part of Congress, and it is against that assumption of power that I raise my voice to-day.

Mr. O'NEILL, of Pennsylvania. Well, Mr. Chairman—

Mr. VAUX (to Mr. O'NEILL, of Pennsylvania). I can not let you have the time. They have given me only ten minutes, and they would take that away from me if they could; but I do not intend to be dragged out of my ten minutes, although I yield to my colleague my heart's affections. [Laughter.]

Mr. O'NEILL, of Pennsylvania. There is nothing I like so much to hear, Mr. Chairman, as my colleague's exposition of constitutional power. I have been accustomed to hear him make it for many years.

Mr. VAUX. And it never had any effect upon you. [Laughter.]

Mr. O'NEILL, of Pennsylvania. I have heard him at it for a great many years, and he can not help it.

Mr. VAUX. I never could get a man on that side of the House to understand the Constitution or to understand common sense, and you are one of them. [Laughter.]

Mr. O'NEILL, of Pennsylvania. I take all that as a compliment, Mr. Chairman.

Mr. VAUX. I do not want to say anything unkind of the gentleman's colleagues on that side of the House, but [addressing Mr. O'NEILL, of Pennsylvania], my brother, allow me to tell you you do not understand the Constitution. [Great laughter.]

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I understood the Constitution enough to vote for that loan to the Centennial Exposition, and I was very sorry for the decision of the Supreme Court—

Mr. VAUX. Sorry! Why, you were never sorry for anything. You do not know what it is to be sorry.

Mr. O'NEILL, of Pennsylvania. Oh, yes; I was sorry for that.

Mr. VAUX. Mr. Chairman, is this interruption to come out of my time? [Laughter.] Is this second assault which the gentleman is making on me to come out of my time? In the other case he took out of my "hide"—so the newspapers said—and now he proposes to take out of my time. [Laughter.]

Mr. O'NEILL, of Pennsylvania. I ask unanimous consent that the gentleman have five minutes longer to give us his idea of the Constitution. [Laughter.]

Mr. VAUX. I am so glad, Mr. Chairman, that my colleague is anxious to know what the Constitution is. [Laughter.] I am satisfied he does not understand it; I am satisfied he has never heard or understood my explanation of it; I am satisfied that his conscience, tender as it is, has never reproached him for any vote that he has given in this House against the Constitution.

Mr. O'NEILL, of Pennsylvania. Never, for voting for anything which promoted the progress of the country.

Mr. VAUX. Now, Mr. Chairman, I want to come back to this question about the appropriation. You observe, sir, the anxiety of gentlemen here to learn about the Constitution. You see they are gathering all around me to hear something about it. [Laughter.] Probably they will have a copy of it printed in a few days, and they may even go so far as to read it or allow me to read it to them. [Laughter.]

A MEMBER. There is not much of it left.

Mr. VAUX. There is not much of it, and there will be less if my colleague's doctrine is to be admitted as correct, that Congress is to assume or usurp power. It is against these usurpations of power by Congress, in violation of the letter and the spirit of the Constitution, that I come here to-day to protest. On this point, if you will allow me—I do not know whether it is parliamentary, because I know so little about what gentlemen may think appropriate to this floor—but if you will allow me, I would like to tell a little anecdote to illustrate this question. [Cries of "Go on!" "Go on!"]

When the Bank of the United States was in trouble, and General Jackson was assaulting it, and the questions of the recharter and of the removal of deposits were agitated all over this country, there was a committee, there were several committees, there were many committees that came down here to see the President, begging him to forbear. All the banks of the Eastern States sent dignified and elegant gentlemen here to protest against the action of the President in removing the deposits, because it was doing great damage to the banks.

These committees came here one after another; and at last, as my friend and colleague from Philadelphia [Mr. O'NEILL] knows, there came down here a committee consisting, I believe, of the managers or directors of one of our banks. This committee called upon President Jackson and was received with that courtesy which was one of his most marked characteristics. After he had heard them very patiently, he turned round to the chairman of the committee and calling him by name—I will not name him, because he is now dead and gone—said, "Gentlemen, I find that all these banks and other moneyed institutions have their active advisers and learned counselors coming here

to speak for their interests; they are all ably represented here; they all have full opportunity to be heard; but, gentlemen, who represents the people?" [Applause.] "I shall represent the people," said he, "and protect their interests."

Now this anecdote is germane to what I propose to say. Who in this House represents the taxpayers? Who is the man that stands up here to represent the people whose money is to be taken by these appropriations?

[Here the hammer fell.]

Mr. FLOWER. I ask unanimous consent that the gentleman from Pennsylvania be allowed to proceed for five minutes more.

The CHAIRMAN. In the absence of objection, the gentleman from Pennsylvania will proceed.

There was no objection.

Mr. VAUX. Mr. Chairman, who in this House represents the people who will have to pay the \$350,000 appropriated on page 39 of this bill? My distinguished and learned friend from Kentucky [Mr. BRECKINRIDGE] says we can not touch these appropriations, because in the organic law Congress has declared how the members of the commission shall be appointed and who are to fix the salaries; and hence he argues it is not in the power of this House to strike from this bill any sum appropriated under the organic law. Why? Has there been a contract? Does the learned gentleman from Kentucky undertake to claim that the organic act established a contract between the men who might hold these offices and the Government of the United States who is to pay them?

I want to know who is here that stands by the people who are to pay the expenses of this commission? Where is the Farmers' Alliance? [Laughter.] Who speaks here for the sons of toil who have complained that they can not get any money of any kind, that they can not even get silver? Where is the member of this House who speaks for the Farmers' Alliance and says, "Do not take this money out of the Treasury to be paid to these people for salaries?"

By this bill we appropriate, so far as I can estimate, \$567,000 this year for salaries of various officials connected with this enterprise. We have heard the speeches of the distinguished gentleman from West Virginia and the distinguished gentleman from New York, members of the committee sent out by Congress to examine into this matter; and the statement made by the gentleman from West Virginia is frightful in its significance when we realize that the money which is to be thus expended is taken in large part from the members of the Farmers' Alliance. I think it is outrageous. Why do gentlemen who have been so indignant because Congress will not give the people the money they want stand by and see the little money the people have taken from them by such appropriations as this?

Mr. ENLOE. When are you going to give us the silver bill? [Laughter.]

Mr. VAUX. There will not be any silver left if you are going to put the money into the World's Fair in this way. [Laughter.] What is the use of an increased coinage of silver if the money is to go into matters of this kind, to be sucked up by everybody but the farmer? The farmers, the wage-workers, will never get any portion of all these unconstitutional appropriations made by the usurped power of Congress as stated by my learned friend here.

Mr. BLAND rose.

Mr. VAUX. Now, my friend, I do not want to get into any more controversies with you. [Laughter.]

We both want free speech. I want free speech now, but I can not get it. [Laughter.] You are for free silver and you can not get it, and so we are even. [Laughter and applause.]

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I simply want to say that I never heard such a bid for the nomination for the Presidency as my colleague from Pennsylvania has made to the Farmers' Alliance. [Laughter.]

Mr. VAUX. Well, you come in and overbid me.

Mr. O'NEILL, of Pennsylvania. There never was a plainer bid in the House of Representatives for a Presidential nomination than my colleague has made to the farmers of the country.

Mr. VAUX. I talk good constitutional sense to them. [Laughter and applause.]

The CHAIRMAN. The gentleman from Illinois is recognized to control the fifty-seven minutes remaining on that side.

Mr. CANNON. I yield ten minutes to my colleague, Mr. TAYLOR. Mr. TAYLOR, of Illinois. Mr. Chairman, I was very glad to hear the distinguished gentleman from New York [Mr. FLOWER] say that he was in favor of anything that Chicago wanted. I hope he will be as good as his word, and I will tell him what Chicago wants. She wants to be let alone.

A MEMBER. That is good.

Mr. TAYLOR, of Illinois. She wants this interference with the fair stopped. If the gentlemen on this committee had made such speeches six months ago as they have made to-day, many of the supposed facts they have given to the House would have been facts then; but they are not facts now. They are talking of friction existing between these two boards, between the national and the local board; but that friction, I am happy to say, has already been brushed away, and they are acting



in peace and harmony together, working side by side to try to make this fair a grand national success, such as it should be.

The gentlemen on this committee are themselves responsible for the friction. When this House decided that we would have a fair, four great cities contended for it and came here with draughts of their bills already prepared. They asked the House to enact these bills into law, and the question came up in that shape for consideration. The bill proposed by the city of Chicago put the power of the fair into the hands of a local board, and made the Government commission advisory; but after the fair was located this committee, of which my friend from Massachusetts is chairman, threw aside this bill and prepared a bill itself.

Mr. CANDLER, of Massachusetts. Mr. Chairman, I ask the gentleman if he will yield for a correction.

Mr. TAYLOR, of Illinois. I will yield for a question.

Mr. CANDLER, of Massachusetts. I would like, then, to ask the gentleman this question. Does the gentleman mean to say that the bill which was presented by the committee was not drawn and changed at the request of Chicago?

Mr. TAYLOR, of Illinois. I do.

Mr. CANDLER, of Massachusetts. I deny the correctness of the statement. The bill was corrected throughout in all of its details at their request. It was drawn by the request of the Chicago committee and at the time the bill was changed—

Mr. TAYLOR, of Illinois. I did not yield for a speech, only for a question.

Mr. CANDLER, of Massachusetts. I only want to state the fact that it was changed at their request and against my advice.

Mr. TAYLOR, of Illinois. Well, you have had your day in court, now let me have mine. I say that the committee draughted the bill and the Chicago people consented to it, because it was, as the committee said, the best bill that they could pass through this House. That was all. That is the history of the bill, and if the commission appointed under that bill is not advisory it is the fault of Congress and the committee, not of Chicago.

The trouble about this fair is, Mr. Chairman, that it is in Chicago. Let me see what the chairman of the committee says; and, in order not to do him injustice I will read his language from his own speech.

And they felt that when they gave a million and a half dollars outright to the city of Chicago for the Government exhibit they had acted generously.

They have not given a dollar to the city of Chicago. It is not a Chicago fair. It is not an Illinois fair. It is a national fair. The gentleman does not seem to comprehend that this is a national fair, held to commemorate the discovery of America, its four hundredth anniversary, and not the discovery of Chicago. If they will get that out of their minds, I think they will occupy a different position.

But the gentleman says that this commission appointed under his bill is an advisory commission; that they have no powers except to advise. Let me see what the law says. Let us go upon facts; let us take the letter of the law, and not the statement of the gentleman. The law says:

That said commission be empowered in its discretion to accept for the purposes of the World's Columbian Exposition such site as may be selected and offered, etc.

They have the selection of the site. All the local board can do is to hunt up sites and present them, and the commission can say yes or no. That is not advisory. But what further?

Sec. 5. That the said commission shall allot space for exhibitors, prepare a classification of exhibits, determine the plan and scope of the exposition, and shall appoint all judges and examiners for the exposition, award all premiums, if any, and generally have charge of all intercourse with the exhibitors and the representatives of foreign nations. And said commission is authorized and required to appoint a board of lady managers of such number and to perform such duties as may be prescribed by said commission. Said board may appoint one or more members of all committees authorized to award prizes for exhibits which may be produced in whole or in part by female labor.

I would like to have the gentleman tell me what else there is to be done. If that is advisory, tell me what else. That is the whole power, except of the police and the doorkeepers, to collect the money.

Mr. McCLAMMY. Mr. Chairman, I rise to a question of order. I can not hear a word that is said.

The CHAIRMAN (Mr. GROSVENOR). The Chair is of the opinion that the point is well taken. The committee will please be in order.

Mr. TAYLOR, of Illinois. I say again, Mr. Chairman, that if the gentlemen who reported this bill intended to make this commission advisory they used singular language. Let us see what further:

That said commission shall provide for the dedication of the buildings of the World's Columbian Exposition in said city of Chicago on the 12th day of October, 1892, with appropriate ceremonies.

Is that advisory? They do it all. The local board has not a thing to do with it. Is that advisory? I do not think the gentleman will contend that it is.

Now, in relation to this salary question; let us see what there is about that. I know the secretary of that board. I know him well. I know he is a man of ability. I will give him \$5,000 myself. But do you expect a man to go there to occupy that position for one, two, or three years at the same price that he would occupy a position for life? You can not get him.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I yield to the gentleman five minutes more.

Mr. TAYLOR, of Illinois. He is not a machine. He can not come at 9 o'clock in the morning and go away at 4. He has other duties to perform besides attending to the correspondence. A man in such a position has social duties to perform. He comes in contact with people from all over the world; and when they come there they expect to be entertained. They expect somebody to take hold of them and show them something. This comes upon the secretary more than any other officer.

As to the director general, this committee says the commission wants no director general. Why did the President send out his proclamation to foreign countries, inviting them to come here? Whom are they to meet? Are they to meet a representative of the Government or are they to meet some local board? I say it would be a disgrace to this nation if, after inviting foreigners to come here to our national exposition, we should turn them over to a local board. They should be met by men appointed by this Government, who are acting for this Government. Now, let us see as to the authority for this:

The commissioners and alternate commissioners appointed under this act shall not be entitled to any compensation for their services out of the Treasury of the United States except their actual expenses for transportation and the sum of \$6 per day for subsistence, for each day they are necessarily absent from their homes on the business of the said commission. The officers of said commission shall receive such compensation as may be fixed by said commission, subject to the approval of the Secretary of the Treasury, which shall be paid out of the sums appropriated by Congress.

You put it in the power of this commission when you made it to fix the salaries. The only thing you said was to be done was that the Secretary of the Treasury should approve it, and the Secretary of the Treasury has approved it. Now, gentlemen, either stand by what you have done or else plead the baby act and repeal this act entirely, and let us have no fair.

Mr. McRAE. That is right. Let us have no fair.

Mr. TAYLOR, of Illinois. Stand by your own act or else plead the baby act and have none, but repeal the whole thing.

Mr. McRAE. Repeal it. That is what we ought to do.

Mr. TAYLOR, of Illinois. Stand by your act. The gentleman says repeal it. I am not that kind. When I have acted, I stand by my action, and I hope this House will stand by its action. What has Chicago done? She has raised \$10,000,000 for this fair; and here is a paltry little \$1,500,000 that we are quarreling over. This is a national fair; not a Chicago fair, but a fair for this nation. While they have raised \$10,000,000 I say we are quarreling over a little paltry sum of a million and a half, as compared with the \$10,000,000.

Mr. CANNON. I yield ten minutes to the gentleman from Illinois [Mr. ADAMS].

Mr. SPINOLA. I have ten minutes, and I will take it now.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SPINOLA. Well, then, I will wait until the gentleman from Illinois gets through.

Mr. ADAMS. I did not understand the gentleman's request.

Mr. SPINOLA. I claim my ten minutes.

Mr. CANNON. Unfortunately I can not yield the gentleman ten minutes of my time, as it has been already taken.

Mr. SPINOLA. I have ten minutes assigned to me under general parliamentary law. I now propose to take it. [Laughter.]

Mr. ADAMS. I think I will take my time first, to avoid the uncertainties of general parliamentary law. [Laughter.]

The CHAIRMAN. The gentleman from Illinois will proceed.

Mr. ADAMS. Mr. Chairman, the question involved in this discussion is a broader and deeper question than the question as to whether certain salaries are excessive or not. It involves the character of the World's Fair Exposition, because it involves, as I think, the relation to that exposition of the national commission created to control it. The subcommittee which went to Chicago last November evidently believed that the national commission created by the World's Fair act have exceeded their jurisdiction. They say that the commission were intended to exercise a mere advisory power, and I infer from something that fell from the lips of the gentleman from Massachusetts, and perhaps the gentleman from New York [Mr. FLOWER], that the World's Columbian Commission have hardly more than a mere veto power to approve or disapprove of the acts of the local corporation.

Mr. FLOWER. Will the gentleman yield for a moment?

Mr. ADAMS. I have only ten minutes.

Mr. FLOWER. I will not take it out of your time. Your lawyer, Mr. Bryan, is the man who drew this law, and here is his interpretation of it, right before you. He is a good lawyer and there is his statement.

Mr. ADAMS. The gentleman should have waited until I had completed my statement.

The gentleman from Kentucky [Mr. BRECKINRIDGE] has discussed the act and shown by reference to the terms of the act that the power of the national commission was something more than a mere advisory power.

I propose to refer to the history of this legislation, and, as my friend from Massachusetts [Mr. CANDLER] and my friend from New York [Mr. FLOWER] may disagree with the conclusions I draw, I trust that they will not interrupt me until I have completed this statement.



I have in my hand, Mr. Chairman, the three World's Fair bills originally introduced in behalf of New York, Chicago, and St. Louis. The bill introduced by myself (H. R. 3280), a duplicate of which was introduced at the other end of the Capitol by a Senator from my State, contains a proposition for one organization to control and manage the World's Fair from beginning to end. That organization is a United States corporation. It is a corporation created by act of Congress, and therefore in one sense it is a national organization. But, in fact, it was a local organization, because the bill provided that outside of the two representatives from each State that shall be appointed there should be a hundred members appointed by the governor of the State in which said fair shall be located. That is to say, that it was to be controlled by the local feeling and local interest of the locality in which the fair was to be held.

Then there is the bill introduced by the gentleman from New York [Mr. FLOWER] (H. R. 5234), a duplicate of which was introduced at the other end of the Capitol by a Senator from New York. This also provides for a United States corporation, but a United States corporation in which the control, as the gentleman knows, is vested in a long list of distinguished and able citizens of the State and perhaps of the city of New York. Then we have the bill introduced by the gentleman from Missouri [Mr. FRANK] (H. R. 5304), which in like manner provides for a single organization to control the fair there, and that also contains a long list of distinguished citizens of the State of Missouri and the city of St. Louis.

This is the organization, and each organization was a sole organization, legislative and executive, not advisory, but practical, to have the sole jurisdiction, and to run the fair from beginning to end, and in each case the control was left to the citizens of that part of the country where the fair was to be held. These are the three bills. I do not mention the bills introduced on behalf of Washington, because they cut no figure, the circumstances being different, but only those introduced on behalf of New York, Chicago, and St. Louis.

These three bills were referred to the Committee on the World's Fair, and what did that committee do? It did not report back any one of them; but it reported two substitutes, the bills (H. R. 6884 and 6883). The bill H. R. 6884 pertains to Washington, and cuts no figure. The bill H. R. 6883, which was the bill supposed to be pending when the contest about the location of the fair took place, I have in my hand, and that provides for an organization national not only technically, but in substance.

The organization provided for in this bill and intended to manage the World's Fair from beginning to end is to consist of two commissioners from each State, one from each Territory, and one from the District of Columbia, and, I believe, a few at large. At all events, it was a national organization. That bill being pending, we had the contest over the location of the World's Fair; and when gentlemen voted for one city or the other, it was understood by the entire House that wherever we might choose to locate this fair the control of that fair, the sole control of that fair, the legislative and executive control of that fair, should be in a national organization.

We had our contest. It resulted in favor of Chicago. The bill was recommitted. It was generally agreed that whichever city won in that contest should have the bill modified to suit the peculiar circumstances of that city, but it was not intended that the substance of the bill should be changed. The notion in the mind of the House on the subject of the World's Fair was that wherever it was to be held it was to be controlled by an organization in which the local sentiment of the place where it was to be held should not control. It should be controlled by the people of the United States. After it was recommitted I distinctly remember a visit from Mr. Edwin Walker, of Chicago, representing that city, and of his consultation with me and of his consultation with members of the committee, in which he expressed the wishes of Chicago in this way:

That the people of Chicago desired that the fair should be under national auspices, under national control. The city of Chicago under the constitution of the State of Illinois could not at that time issue a single dollar in bonds to aid the fair, for a vote of the people of the State and an act of the Legislature were necessary to enable it to do so. The Legislature and the people of the State have since that time acted. At that time the city of Chicago could not issue a dollar in bonds, and therefore this local organization should be kept on foot, for what purpose? In order to raise the funds necessary and prepare for the holding of the fair under national auspices; as gentlemen from Chicago then expressed it to me, in order that the people of Chicago might prepare a site and erect buildings and turn them over to the people of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOPKINS. Mr. Chairman, I ask unanimous consent that my colleague be allowed five minutes more time.

Mr. SPINOLA. Do we take five minutes on this side?

The CHAIRMAN. The gentleman from Illinois [Mr. HOPKINS] asks that his colleague be permitted to proceed for five minutes. Is there objection?

Mr. SPINOLA. I object, unless we take five minutes on this side.

The CHAIRMAN. Objection is made.

Mr. BRECKINRIDGE, of Kentucky. I hope that the gentleman from New York will not insist on that objection. Ten minutes were given to the gentleman from Pennsylvania [Mr. VAUX] on this side.

Mr. SPINOLA. Then I withdraw the objection.

The CHAIRMAN. The objection is withdrawn.

Mr. ADAMS. Now, the main idea in the mind of Congress was that this fair should not be controlled by local sentiment of the place where it was held; the main idea was that wherever it was to be held the people of that city where it was to be held were simply, as it were, to furnish the apartments in which the people of the United States might receive their guests.

We judged, and our local interests lay that way, that if it were under national control the farmers of the extreme West and the manufacturers of the extreme East, and the people of Mexico and the people of Canada, would be more likely to come to Chicago to visit it. Therefore this composite bill, as I may call it, which the World's Fair Committee finally reported bears out the construction, derived from the history of it, from the *res gestæ* of the transaction, which the gentleman from Kentucky a little while ago placed upon it, and placed upon it correctly, as I think, even if you regard the mere terms of the act.

There are certain things to be done in the preparation for a world's fair exposition which can be better done by a committee of business men in Chicago, or a committee of business men in New York, or a committee of business men in St. Louis, than by a national commission consisting of eminent men nominated by the governors of States and appointed by the President on that recommendation. It is evident to every gentleman in this House that a national commission like this can not raise money, handle money, spend money, so effectively as an organization such as New York or Chicago or St. Louis business men could furnish.

Therefore that part of the work which consisted mainly in making contracts, in preparing a site, in preparing plans for buildings and constructing buildings, was left to the local corporation; but the control of the fair, after that preliminary work had been done, was intended by the people of Chicago as I believe, and by the members of this House as I am sure, to be vested in the national organization, with all its unavoidable limitations and defects; for, that a national commission has such limitations upon its effectiveness as a money-making, money-spending, or money-handling organization, I do not deny any more than any other gentleman on this floor.

Now, the fact is that these two organizations have pursued a practical course. They did have some dispute as to jurisdiction, and they settled it in a practical way. They have a board of reference and control, representing both, to which all questions of disputed jurisdiction are to be submitted, and any question as to the too-broad jurisdiction of the national commission ought to be waved aside at once for the sake of the national character of the fair, and any question of disputed jurisdiction between the national commission and the local corporations ought to be waved aside at once because it has been settled already by these practical, level-headed business men in Chicago, and the executive functions of the national commission ought to be recognized by retaining as an officer thereof the director general of the World's Columbian Exposition. The gentleman from New York [Mr. FLOWER] himself said not long ago that he had no objection to the amount of the salary paid to this office.

Mr. FLOWER. Not a particle.

Mr. ADAMS. He said he believed it was not too large a salary for the enormous responsibility cast upon this official, but that he thought the salary ought to be paid by the local board.

Mr. FLOWER. Certainly.

Mr. ADAMS. He is right if his idea of the jurisdiction of the national commission is right, and he is wrong—and I think he is in fact wrong—if his idea of the jurisdiction of that commission is wrong.

[Here the hammer fell.]

Mr. FLOWER. Mr. Chairman, one moment.

Mr. CANNON. I am very sorry, but I can not yield to the gentleman, as my time is wholly taken. I now yield to the gentleman from Illinois [Mr. MASON].

Mr. MASON. I ask only a moment simply to get the record of the case right. I understand that the amendment has been read but has not been formally offered, and I desire now to give notice that I shall make the point of order against it that it would change existing law and is an amendment in violation of the statutes of the United States. I do not care to discuss the point now, but it is clearly so in my opinion, and I desire that no advantage shall be taken, and that the right to present the point of order at the proper time shall not be lost.

Mr. CANNON. How much time have I left, Mr. Chairman?

The CHAIRMAN. The gentleman has thirty-two minutes remaining.

Mr. CANNON. I yield that time to the gentleman from Ohio [Mr. BUTTERWORTH].

Mr. BUTTERWORTH. Mr. Chairman, the question before the committee is of very considerable consequence, not only to the respective boards charged with the duty of preparing and conducting the World's Columbian Exposition, but also to the people of this country.

We are committed to the world to complete the work we have un-



dertaken irrespective of the instrumentality through which it is accomplished. We have pledged the faith and honor of this Republic to the discharge of each obligation assumed and duty imposed by the provisions of the act of Congress approved April 25, A. D. 1890.

Congress exacted of Chicago a guaranty of \$10,000,000 and an eligible site for the fair before the Government would become sponsor for the enterprise. The guaranty was promptly given, an eligible site was tendered and accepted in conformity to law, and thereupon the United States became the foster mother of the World's Columbian Exposition, and can not without discredit fail to give to it all necessary encouragement and aid. We must keep each promise and redeem every pledge.

The difference between civilization and barbarism is in a large degree measured by the means employed in communicating thought from one to another and by the materialization of ideas into forms and useful agencies for the convenience and comfort of mankind.

The international exposition authorized and provided for in the act mentioned will furnish an opportunity for an inventory and study of that which is the evidence of the progress made in civilization.

What was the prime object and purpose of the enactment of this law and how shall we best carry its provisions into effect? How shall we deal with the condition that confronts us to-day? What did this Congress by the letter and spirit of the act I have cited require, whether through a local organization of the State of Illinois or through a commission appointed by the President of the United States?

I desire to call attention for a single moment to the nature of the obligations defined by the act and by its terms imposed upon the national commission and the Illinois corporation, those two organizations being the agents of the Federal Government in carrying into effect the act of Congress mentioned.

I will read from the act, because it states clearly what I desire to say. The introduction of the act providing for this World's Fair is in this language:

Whereas it is fit and appropriate that the four hundredth anniversary of the discovery of America be commemorated by an exhibition of the resources of the United States of America, their development, and of the progress of civilization in the New World; and

Whereas such an exhibition should be of a national and international character, so that not only the people of our Union and this continent, but those of all nations as well, can participate, and should therefore have the sanction of the Congress of the United States: Therefore,

Be it enacted, etc., That an exhibition of arts, industries, manufactures, and products of the soil, mine, and sea, shall be inaugurated in the year 1892, in the city of Chicago, in the State of Illinois, as hereinafter provided.

So it will be observed Congress provided for a national and international exposition; but as a condition precedent to the assumption of responsibility by the National Government the city of Chicago or the corporation representing the State of Illinois and the city of Chicago were required, as before mentioned, to raise \$10,000,000, so that it would be available for the purpose stipulated in the act. When that proposition was submitted to this body there were not twenty men on the floor of this House who believed that any city in the Union could or would raise \$10,000,000 for the purpose and in time to carry into effect this law. So great a sum for the promotion of such a project had never been raised by any municipality in the world. It had never been done by any State in the Union. I do not say that other cities on this continent could not.

But the people of Chicago furnished the amount, a sum of money equal to \$10 for every man, woman, and child within her corporate limits, for the purpose of carrying into effect this law, a work which may indeed result in great advantage to Chicago, but will in a larger degree add to the glory of this nation. The exposition is not a local enterprise; it is not a State, but it is a national enterprise in the broadest and best sense. It is the creature of Congressional enactment. The benefit to Chicago is an incident. Her citizens may reap a profit of many million dollars. But those citizens who put their hands in their pockets in this endeavor to confer distinction upon their city and State have at the same time added greatly to the glory of the nation and given larger opportunity to each of its citizens.

I desire to call attention to a phase of this question that may not be given due importance. I may be a little enthusiastic touching the advantages to our people of an exhibition of this character. Let me inquire what you will see at this exposition. An exhibit of the vast progress made during the centuries in every useful art; an exhibit of what science has accomplished for mankind in the past; in other words, the crystallized thought of forty centuries will be displayed for the instruction of our people and the people of the world. There will be shown the steps in evolution from the first crude devices, along the line to the most complete machine. For instance, every appliance and method for utilizing electricity will there be shown, and a few days' careful observation will reveal more to the student in that field of art than would result from several years devoted to the most careful study of books.

So in regard to improvements in agricultural implements and machinery. The result of the efforts of inventors and workmen throughout the world can be there surveyed in a short space of time, and the observer become possessed of the accumulated knowledge resulting from the combined efforts of thousands of men throughout the world. And this is clearly true of every branch of industrial art and of the

sciences as well. Since there will be gathered together, as I have before suggested, the results of the best thought and endeavor of mankind, it must therefore occur that each intelligent visitor will have his mind sown with seed that may produce a rich harvest in the coming years.

It is a conceded fact that the Centennial Exposition at Philadelphia wrought a revolution in a great many departments of industry, new and better methods being adopted as the result of knowledge gained by our people at that exposition. The style of our architecture throughout the country was changed and greatly improved. The advantage measured in dollars and cents was beyond estimate. Sir, there is not a gentleman on the floor who has a just and adequate conception of what the developments in the field of industrial art have accomplished for our race. The mind can hardly grasp the full measure of advantage when expressed in figures.

In viewing these exhibits we realize not only what man has done, and what woman has done, with hand and brain, but there is the suggestion of the possibilities that wait upon each and all of our people. Every intelligent individual who goes to that exposition will come away not only with broader views, but clothed with a larger power to employ his faculties in fighting the battle of life and promoting the happiness of mankind. It has been so with every exposition. And although the one held at New Orleans, being badly located, was indeed a failure financially, yet for every dollar invested in that exhibition I have no doubt this country has realized an hundred fold in positive advantage to the people of the Southern States.

Mr. COLEMAN. The gentleman will allow me to say that the exposition at New Orleans has done more to develop the industrial resources of the South than anything that has occurred since the abolition of slavery or is likely to transpire for years to come.

Mr. BUTTERWORTH. I have no doubt that my friend is correct about that. The exhibition of the various devices for producing sugar, the various means of treating cotton and other fibers, the various methods of utilizing facilities for transportation, has wrought a change of the most beneficent character. As the people came in by hundreds of thousands each one presented a mental soil in which that exhibition planted ideas which bore rich fruit in after years.

Mr. GROSVENOR. While nothing is more pleasant to me than the eloquence of my distinguished colleague, yet I would like to have, so far as I am personally concerned, my colleague's own actual knowledge of the necessity for these expenditures. I hope he will tell us something about the hundred and fifteen women whose meeting cost \$15,000, and the other things along that part of the line. Let us know the necessity for these apparently extravagant expenditures.

Mr. BUTTERWORTH. Well, let me say to my colleague, Mr. Chairman, that in speaking thus I have sought to impress—and I may have failed in some instances to do so—upon my hearers the advantage which inevitably results from an enterprise of this character if properly managed. If no advantage will result from it, we had better make no appropriation. But if it scatters blessings throughout the length and breadth of the country by opening a great school for the improvement of all our people, who may come together to learn how the arts and sciences have contributed and may contribute to the amelioration and improvement of our race, then my honored colleague will see that there are reasons why we should warmly encourage instead of treating the project with indifference, and why we might pass over many errors of judgment in the management, as they seem to us, that are almost inevitable and are certainly excusable in the inauguration of such a vast enterprise.

I will now consider the matter to which my colleague has referred. First, it is obvious that to inaugurate and successfully carry forward the work of this exposition involves a vast expenditure of money and the employment of the time and ability of the best citizens of Chicago, and, in fact, of the whole country. And I want to show to all who are interested, and all are interested, precisely what has been accomplished, what is being done, and what is contemplated for the future.

As you are all aware the State of Illinois granted a charter of incorporation to a number of men to carry into effect this law of Congress; in other words, to provide the ways and means for holding this exposition. Forty-five of the leading business men of Chicago became the charter members. Among these were the most capable financiers and commercial men of Chicago, all gentlemen of the highest character. And here I wish to say that as I sat among them, listening to their deliberations, I studied each of them carefully. There was not one among them, so far as I know, who had not, as we are accustomed to say in the West, "taken life from the stump." They were men who had fought their way from a humble beginning to the magnificent success each had achieved; and they have shown an almost unexampled willingness to share their success with others and make their prosperity the means of serving the whole people.

Such are the men who compose the directory of the World's Columbian Exposition and stand pledged to make it a success worthy of their city, their State, and the nation.

They contributed financial aid, as did the people of Chicago generally, from the boot-black to the banker. Each of them gave heartily



his contribution, the sums ranging from ten to tens of thousands of dollars, to meet the expenses necessary to insure success.

As you are aware, a national commission was appointed consisting of one hundred and fifteen men. This commission was authorized by the act of Congress to which I have already referred. They were gathered together from the four quarters, not of the earth, but of the Republic. They met in Chicago for the first time. They had to study the law and determine what their powers and duties were, what the jurisdiction of the body was, and naturally reasoned and learned a little in the direction of their desires. If they did not find the jurisdiction coextensive with their desires it was because it was obviously not authorized by the law; and as my friend from Massachusetts [Mr. CANDLER] and other gentlemen have said there was little beyond the limit of their jurisdiction, as they interpreted the law.

It may be said possibly of the local board, on the other hand, that they were in some measure disposed to insist on an extension of their jurisdiction beyond its proper limit. It is true that some members of the commission in the beginning insisted that the local board, composed, as I have stated, of as able and patriotic men as can be found in the Union, men whose honor and whose fortunes were pledged to make the exposition a success, had little or nothing to do except to raise \$10,000,000 and lay the money down at the feet of the commission and let the committee of that body vote it here and there without the year or nay of the local board. It was contended by the local board that business principles and methods must be adopted in conducting the enterprise. It was unfortunate, however, that the local board was not more determined in its position. Their spirit of accommodation took the form of subservience. I could not sharpen a pencil in the office of the local board without its provoking newspaper comment, suggesting usurpation by the officials of the directory.

That was the vexatious condition. It was not wholly the fault of the commission, nor the fault of the local board, but this question of jurisdiction and resulting friction remained to disturb the harmony, which was most unfortunate at the inception of such an enterprise. The arrival of the honorable gentlemen composing the House committee was most timely and salutary in its influence. The effect of it was to compel peace between the two organizations and a resort to measures which should have been adopted at an earlier day.

Up to that time no lawyer had by authority examined the statute and rendered an opinion as to the limit of jurisdiction between the two bodies. But when you gentlemen arrived, or when, "far off, your coming shone," eminent counsel, learned in the law, were called together to consider this question. They were unanimous in their conclusions. It is true they did not agree with all the gentlemen of the commission. But what was the result? Why, like sensible men, the two bodies met together, and wiping out the debatable lines, those shadowy and doubtful lines of jurisdiction between them, they agreed they would set aside the cumbersome machinery of which my friends of the committee very properly complain. They did set aside all that cumbersome machinery and appointed committees, and provided a complete, compact organization, with a board of control to supervise the work. They established a number of departments, as follows:

- A. Agriculture, food and food products, farming machinery and appliances.
- B. Viticulture, horticulture, and floriculture.
- C. Live stock: domestic and wild animals.
- D. Fish, fisheries, fish products, and apparatus of fishing.
- E. Mines, mining, and metallurgy.
- F. Machinery.
- G. Transportation exhibits: railways, vessels, vehicles.
- H. Manufactures.
- J. Electricity and electrical appliances.
- K. Fine arts: pictorial, plastic, and decorative.
- L. Liberal arts: education, engineering, public works, architecture, music, and the drama.
- M. Ethnology, archaeology, progress of labor and invention, isolated and collective exhibits.
- N. Forestry and forest products.
- O. Publicity and promotion.
- P. Foreign affairs.

And they are placing suitable men at the head of each one. The national commission no longer meets. It has taken wings, and so have our troubles. But there remains the impress of its power, the stamp of Congress and the Government which called it into being. That matter is settled, and to-day they have a board of control satisfactory to both bodies, selected from both bodies, supplemented by small committees operating harmoniously and effectively.

Mr. FLOWER. Will my friend yield for a suggestion?

Mr. BUTTERWORTH. Yes.

Mr. FLOWER. In your judgment, with this board of control on each side, eight from your committee and eight from the other, what need is there for any more commissioners, ladies or otherwise, until the fair meets?

Mr. BUTTERWORTH. Well, my friend, there might be a very wide difference of opinion about that. The committee considered that question. Candidly I do not think there is any crying need for it; and

yet I have always found the master's eye was worth both his hands. The Committee on Appropriations considered the matter, as my honorable friend from Kentucky [Mr. BRECKINRIDGE] has said; and instead of providing for two meetings a year they provided for one meeting in 1892. They have also provided for that machinery which every business man will recognize as indispensable to the discharge of the duties that devolve upon the two bodies.

It has been urged on the floor of the House that a mistake was made on the part of the national commission in the appointment of a director general. Let us not forget, gentlemen, that this is our fair, and not the fair of a city or locality, but the fair of the people of the United States, and will reflect either their glory or their shame. The officer who speaks for and represents it, standing conspicuously above all others, as its executive head, and representing both bodies, whose signature goes to other countries and goes to all the States of the Union, is the director general. He is the head and front of the management, representing both organizations, chosen, however, by the national commission, but approved by the local board. Why, therefore, should it not be a national office? He represents the people of the United States.

"Well," it is said, "that may be, but the local board should pay him." I appeal to the honorable gentlemen here whether Chicago has not fulfilled to the letter all she promised, and more? I ask whether the State of Illinois, one of the young States of the Union, has not met all the requirements of the situation? Her Legislature proposes to give and will give more than that of any other State, for the purpose of promoting this national enterprise, because she has a local pride in it. Chicago has raised \$11,000,000, and will add several millions to that sum. Has she been liberal or not? Is Congress treating her with generous encouragement? Is she to be criticised because, forsooth, she deems it proper and just that the director general be paid out of the Treasury of the nation that employs him, since he is the chosen officer of all the people.

Your law provides that all intercourse with foreign exhibitors, etc., shall be conducted, by whom? Not by the local board, but by the national commission. And therefore, will any gentleman say, will my honored friend from Massachusetts [Mr. CANDLER] maintain that it is not proper, that it is not important, that the officer who meets and greets those visitors from abroad should be a national officer? Undoubtedly, he should be; and, if so, shall the Government not pay him?

Mr. WILSON, of West Virginia. Why not let the president do that? He is a member of the national commission.

Mr. BUTTERWORTH. What president?

Mr. WILSON, of West Virginia. The president of the national commission.

Mr. BUTTERWORTH. Well, the president is not identified with the aggressive working organization of the exposition, and no president of a commission ever was. It is the man who represents the pulsating machinery of that enterprise who must speak for it, and not the president of the commission. He has his own duties to perform; but the director general represents the Government of the United States and should be paid out of the Treasury, and I hold it is unjust to the generous people of Chicago not to do so.

One word more as to what Chicago has done beyond what is fairly required by this statute. To-day she has agents in Japan, in China, in Algiers, in South America, in Mexico, in the Orient, arranging for exhibits from all these countries, in order that this exposition may be far beyond what its most sanguine friends expected or hoped for it.

Mr. ADAMS. Is that required by the law?

Mr. BUTTERWORTH. Chicago is not required by law to do so, but in addition to sending agents to China, Japan, etc., she has placed \$100,000 subject to the control of the officers appointed by the Government to procure exhibits from South America and the other nations on the western continent.

In other words, they have been in nowise niggardly; and we think it is due from Congress to be fair and even generous, at least to be just, towards those people who have done so much.

Mr. WILSON, of West Virginia. The gentleman does not understand that any criticism has been made upon the local directory? We commend it. We commend their enterprise.

Mr. BUTTERWORTH. Certainly, I know that. I know you have praised their endeavors, and in the same spirit of justice a further remark touching the men who compose the directory is in place. The time and efforts of these forty-five directors, given gratuitously, is in itself a contribution of great value, since they are men of the highest character and position in the social, financial, and business world. And this but supplements their pecuniary aid. They have indeed a local interest in making the exposition a success.

But from a national point of view they should feel no more pride in it than any other citizen. You and each one of your constituents must feel a just pride in the result, that it should reflect credit upon our nation. The world does not look to the directory of Chicago. The world does not look to Chicago, nor yet to the State of Illinois. The nations look to this Capitol and those who represent the Federal Government for the character and success of this exposition; but Congress relies upon the genius, the enterprise, and unflagging zeal of the gentlemen who compose the directory and the citizens of Chicago to impart to the



fair the measure of success which the standing of our Government among the nations demands. We should be thankful for having within our border a city like Chicago, generous, aggressive, sometimes vastly too aggressive, but in this case fairly equal to all that you would require.

In speaking of the directors I have but paid a deserved compliment to the men who represent the vital forces in this undertaking.

A few months ago one of the most honorable societies of Europe, the Society of Engineers (comprising several hundred distinguished men), visited the United States. They met in Chicago. Among them were Sir James Kittson, president of the society; Mr. James Dredge, an eminent engineer, and one of the editors and proprietors of Engineering, the leading illustrated journal of the Old World. Each one came as a "doubting Thomas." They said: "Is it possible that upon an inland sea in this young nation a city has grown up in fifty years which can meet the requirements of the law which we have read?"

The visitors remained in Chicago two days, were sorry they could not stay a week. They met the members of the directory; they visited the site of the exposition. They discussed its purpose, scope, and plan. Their doubts were removed, and their faith became as strong as their doubts had been. I conferred with many of them. They contemplated in wonder and admiration the unexampled energy and pluck of these men who had contributed \$11,000,000 for the promotion of an enterprise in which they have no interest except to add to the prosperity and the honor of their city and country. These distinguished visitors returned to their several homes, champions of our great undertaking, in which they recognize an effort in behalf of mankind.

Mr. Dredge, since his return to London, read a very able paper on the exposition before the Society of Art. Sir — Hall, another eminent thinker and writer, presided. If these strangers within our gates are filled with zeal for our enterprise, shall we stand here and bicker about paying the salary of the officer chosen under authority of Congress to manage the exposition? The work is going forward smoothly and satisfactorily. True it is that when our friends of the Congressional committee, Mr. CANDLER, Mr. FRANK, Mr. FLOWER, and Mr. WILSON of West Virginia, were there the machinery was not running smoothly; but that was several months ago. It is not so now. "White-winged Peace" has settled upon us. [Laughter.] We are working as smoothly and effectively as any of the friends of the fair could desire; and there are no troubles to retard our progress. We are moving forward.

Mr. FLOWER. If you can get these salaries all will go smoothly.

Mr. BUTTERWORTH. I want to call attention to that in a moment. I use the language of one of these eminent engineers. He said:

You have furnished the finest site to be found on either continent, upon the lake, by the side of an inland sea, with walks and drives and beauties that are unsurpassed and unequaled anywhere in the world.

The Exposition Park contains a thousand acres—fifteen hundred, if you desire, upon which to locate the fair. There will be a floorspace of over 150 acres, and the people of Chicago will not stop until they have raised the sum of \$13,000,000. There is not an example in the history of the world where the people of a single locality or a city has done so much for the nation in which they reside or in which it was located. I but bespeak for that people the honor and the credit due for such courage and energy, and I hope that you will deal with them at least fairly.

What else? There is some criticism upon the frequent meetings of the commission. The commission has "come and gone." It may be said of it that it "fleeth like a shadow and continueth not." [Laughter.] Their committees remain, and the rest of the commission have gone to their homes to help this enterprise in the several States.

Some criticism was offered in reference to the ladies' commission; but my learned friend from West Virginia [Mr. WILSON] has not reached that sere old age when he is willing to amble into the arena and criticize vigorously one hundred and fifteen women, or even a smaller number. [Laughter.] Mr. Chairman, when the one hundred and fifteen women met together, I am sure my friend will bear me out in saying that they bore themselves in a manner worthy of them.

Mr. CANDLER, of Massachusetts. Better than the men.

Mr. BUTTERWORTH. That is right. That is gallantry. I like it.

Mr. CANDLER, of Massachusetts. It is true.

Mr. BUTTERWORTH. It is true; and it would be gallant if it were not true [laughter]; but it is true. These ladies represented the best type of American womanhood. They represented the several States and Territories of the Union, and, as my honored friend here admits, they bore themselves with conspicuous ability and true dignity. They organized, and I do not think there was any wirepulling or chicanery in the selection of the president of that body. They chose by a unanimous vote a lady who would grace any court in the world [loud applause in the House and galleries], a lady who would grace any station in the land [renewed applause], a woman of rare dignity and culture, and who is utterly devoted to this work, and gives her time without stint to the discharge of the duties devolved upon her, and without other compensation than the honor that may come as a result of duty well performed. She has for her assistant the secretary of the ladies' commission, a lady well known to every member here as

a most dignified and highly educated woman, whose full knowledge and large experience give her a conspicuous place among the women of the United States.

These women and their associates are laboring to secure (for the first time in the history of the world) an exhibit for women commensurate with their dignity and its importance.

Chicago has provided a building which will cost \$200,000 in order that the women, not only of our own country, but of the world, may make an exhibition of what the hand and brain of woman have accomplished in the past, what they are accomplishing to-day, and pointing to the broader opportunities that the future has in store for them. The women of England, the women of France, the women of Germany, and of Mexico, in other words, the women of the world, have turned their eyes to Chicago and are taking an interest in the women's organization there, and they will bring exhibits to illustrate what opportunities will wait upon their sex in the years to come.

Our friends know very well that the field of useful endeavor for women is being enlarged from year to year; that new vocations, new avenues of employment, new industries are opened to them. Now, what else have we? The ground is provided for; the buildings are provided for; the classification is complete; men in all parts of the world are working to promote the interests of this grand exposition. Nor is this all. Up to this time we have spoken only of material things, which are but thought crystallized; but there is one other thing that the Chicago directory has provided for. It relates to, "not things, but men." I refer to the world's congress. So that during the exposition of material things we may have also the best thoughts of the nineteenth century given to our people. The ablest thinkers, not of this Republic alone, but of the world, will meet to discuss the important questions which are uppermost in the minds of men. I submit that man is very dull indeed who can stand this afternoon in the presence of what is occurring in this Republic and elsewhere and not realize that we are approaching new conditions; that radical changes must soon transpire which will affect our economic and possibly our social system from center to circumference; questions that will make us more anxious than any which have heretofore been forced upon our attention.

The directory deemed it expedient to call together the great thinkers and workers of the world during this exposition. And it is peculiarly gratifying to observe the liberal spirit manifested by the people of Chicago in this behalf. Churches will be thrown open for the proposed meetings. The great Auditorium, the finest building upon either continent, that monument to the genius of Ferdinand W. Peck, a Chicago boy, educated in her public schools, who has been instrumental in giving to his native city and to America the finest building upon either continent—that great building is to be thrown open for the meeting of these congresses.

Who will be there? The eminent scientists in the field of electricity; those who have given most thought and investigation to the problem of municipal government; those who have given consideration to the questions of production and distribution of supplies; in other words, from the whole field of scientific and economic research the leading men of the world have signified their willingness to come to Chicago during the exposition and contribute of the gathered fruit of forty centuries of investigation and experiment for the benefit of their fellow-men, and all this at comparatively little expense. We have provided in the pending bill \$2,500 for the encouragement of that part of the enterprise.

There are now only one or two matters I desire to add, and I will print, as addenda to my remarks, some statements which I deem it important that members of the House should read, if they can not hear them, in regard to what is being done in pushing forward the work of preparation.

There are only one or two other matters of which I desire to speak, for I am aware that the House has been detained for a long time upon the items in question, and I do not wish to weary it by prolonging the session. I remember that the last time I held the floor some gentlemen thought I was not happy in my effort. I was discussing the tariff. [Laughter and cheers.]

Mr. TUCKER. Oh, yes; you were happy.

Several MEMBERS. You were. You were very happy.

Mr. BUTTERWORTH. I think, possibly, I was.

Mr. BRECKINRIDGE, of Kentucky. I hope you will vote better on this question than you did on that. You can not speak better, but I hope you will vote better.

Mr. BUTTERWORTH. I never knew my friend from Kentucky [Mr. BRECKINRIDGE] to part company with his party on any question. If he had, instead of being able to help "guide the party machine," he would have been seen sitting on the fence watching the procession pass by. [Laughter.]

Mr. WASHINGTON. You never heard him speak against it and then vote for it. [Laughter.]

Mr. BUTTERWORTH. No; he always kept silent. He would not even bear witness against the wrong. [Laughter.] But, Mr. Chairman, that is not in question here now. I want to remark at this point that my brethren of the World's Fair Committee who visited Chicago rendered excellent service, and they are entitled to praise in-



stead of censure. I do not think anyone rendered better service than you gentlemen of the committee. I was pretty near the nerve center there, and I am certain there can be no question that your coming was most timely.

After your arrival we had some experience of harmony, of the dwelling together in unity. We have since dwelt together in unity. You were as the oil on the troubled waters. But now when you have the waters still and hushed for the quiet sailing of this magnificent enterprise, we do not want you to lash them into fury again, and render your coming a second time necessary, when you might not be able to turn aside the calamity which unfriendly action here would threaten.

Mr. FLOWER. We can not change our minds every ten minutes, you know.

Mr. BUTTERWORTH. In the first place the Government has provided, as heretofore, for an exhibit by the various Departments, including the National Museum and the bureau for the propagation of fish, etc. The committee has provided full appropriation to complete the Government building. We hope it will be ample. No one criticizes that item.

Let it be understood that at the time the national commission met it was thought that it would have a larger jurisdiction than is now conceded, and more extended than it is now exercising.

It is now acting in conjunction and accord with the local directory, and in a manner thoroughly satisfactory to both bodies.

I believe in divorce under certain circumstances, but when man and wife, having quarreled, come together, kiss and make up, and are living happily and rearing their children "in the nurture and admonition of the Lord," why should we insist, against their will, on divorcing them? I can not see; can you? In other words, when the troubles that vexed this enterprise have passed away, when this great project in which we are all so deeply concerned, is being satisfactorily conducted, I can not see why we should be intent on dealing with it as of its former estate and condition.

[Here the hammer fell.]

Mr. BUTTERWORTH. I would like a few moments more.

Mr. SPRINGER. Ten minutes?

Mr. BUTTERWORTH. I will not trespass unduly upon the indulgence of the House and trust that I shall not be strictly limited.

Mr. SPRINGER. I ask unanimous consent that the gentleman from Ohio be allowed to proceed without limitation. [Cries of "That is right!"]

The CHAIRMAN. In the absence of objection, the gentleman from Ohio will proceed.

There was no objection.

Mr. CANDLER, of Massachusetts. Before the gentleman proceeds I would like to ask him a question.

Mr. BUTTERWORTH. I yield for that purpose.

Mr. CANDLER, of Massachusetts. I dislike to come down from poetry to prose, but I want—

Mr. BUTTERWORTH. Hold on; do not make a speech; you said you wanted to ask a question.

Mr. CANDLER, of Massachusetts. I want to make a preliminary statement, because I can not ask the question intelligently to the House without doing so. The gentleman is the secretary of the Chicago corporation, with its corps of clerks, etc. The United States commission has a secretary with a salary of \$10,000 and with authority to appoint two assistant secretaries with salaries of \$3,000 each, together with a body of other assistants. Now, I wish to ask the gentleman whether he does not consider that an unnecessary expenditure for the discharge of the duties of that office.

Mr. BUTTERWORTH. I will answer the gentleman; and on this point my friend from Kentucky [Mr. BRECKINRIDGE] has anticipated me. There is now, always has been, and always will be until the light of the millennium breaks in, a disposition on the part of such bodies as the commission to provide a very ample force and ask very liberal supplies. But, mark you, this was done, as I have already said to my friend, in view of the work laid out some months ago, which has since been in a measure limited. As my friend from Kentucky has already said, we have reduced the amount that can be used for that purpose about 20 per cent.

Mr. CANDLER, of Massachusetts. You have not reduced the pay of the secretary.

Mr. BUTTERWORTH. Of course I can not say what that committee will do. All I can do is to make this pledge to the House and the country. Here is a committee composed of honorable men, selected with care, realizing the great responsibilities resting upon them, realizing the fact that you gentlemen have criticised them and criticised them properly; and, recognizing the fact that this House has demanded and the country insists upon economy, I can only say that those gentlemen are pledged to conduct the business committed to them as they would their own private affairs. And as the chairman of the committee, my friend, Mr. CANNON, has stated, we have reduced the appropriation which can be applied to these salaries.

Mr. CANDLER, of Massachusetts. I think not.

Mr. BUTTERWORTH. Oh, yes, we have. I can not be mistaken in that, for I was present when it was done. [Laughter.] And, as my

honored friend suggested, the reduction must be along that line. Where will the reduction be made? That is a pertinent question. I can not tell. But as we have faith in honorable and capable men charged with the performance of a high duty, I feel convinced that the views of Congress will be respected as far as practicable, and I can pledge for them to the House and to the country that they will not allow salaries or expenses which are extravagant.

Mr. WILSON, of West Virginia. But does not the gentleman think that it is the duty of Congress to fix the salary of every public official?

Mr. BUTTERWORTH. As an abstract proposition, I think so.

Mr. WILSON, of West Virginia. Well, as a concrete proposition, what do you think of it?

Mr. BUTTERWORTH. Well, as a concrete proposition, I think so, too. But there are manifest exceptions—

Mr. BRECKINRIDGE, of Kentucky. How could it be done on an appropriation bill?

Mr. BUTTERWORTH. I was just going to suggest that the rules of the House prevent it from being done in this way.

Mr. WILSON, of West Virginia. Well, then, if we can not do it upon an appropriation bill I fear it will not be done at all.

Mr. BUTTERWORTH. I have no such fear. I have the most perfect confidence that these corrections will be made. There is no doubt about it in my judgment. The only question between us now is as to these salaries. We have cut down by one-fifth the appropriation that can be applied to the payment of them. We have said to the men who have the care of the expenditure that the expenses must be cut down; and I happen to know, from information derived from an absolutely reliable source, that wherever there is an extra typewriter, wherever there is an extra clerk or stenographer, or an extra salary paid in any way, it will be razed down until it shall meet the sentiment of economy prevailing in the country.

But, Mr. Chairman, there is a certain kind of economy which is more harmful than extravagance. If I might be permitted to quote a little Scripture in this connection—

There is that scattereth, and yet increaseth; and there is that withholdeth more than is meet, yet it tendeth to poverty.

For myself I do not want that kind of economy.

Mr. WASHINGTON. Will the gentleman allow me to ask him a question?

Mr. BUTTERWORTH. Certainly.

Mr. WASHINGTON. I see that the telegraph states, in an Associated Press dispatch on yesterday, that the president of this exposition, Mr. Davis, said that he would resign if his salary was reduced as proposed by this bill. That, I understand, would be a great calamity.

Mr. HOPKINS. I do not think he said that.

Mr. BUTTERWORTH. I do not believe that he made such an assertion. He might have said, as a man might very properly say under such circumstances, that unless he received a compensation which was satisfactory he would be compelled to resign the office.

Mr. ADAMS. He wanted to be a national officer.

Mr. BUTTERWORTH. So I understood; that it was not so much a question of salary, but whether he represented the exposition as an official of the United States.

Mr. WASHINGTON. That is not the statement in the press dispatches.

Mr. HOPKINS. But that is the fact.

Mr. BUTTERWORTH. Now, some men might be dear at 50 cents a day and others cheap at \$50 a day. That is the experience of life; and I do not think that any man will dispute the accuracy of the statement.

Mr. KERR, of Iowa. The gentleman said a few moments ago that they would be willing to drop a number of typewriters and other clerks, but he said nothing about the reduction of this \$15,000 salary.

Mr. BUTTERWORTH. I have just said that is a matter over which we have no control in this bill; but, as advising them touching the reduction of such salaries as ought to be cut down, we have in the bill limited the amount that might be applied to that use 20 per cent.

It is proper to say that Colonel Davis is a man—and I am convinced that the statement will be concurred in by many gentlemen on this floor who know him—who can readily command \$15,000 a year in a dozen different places in Chicago.

Mr. MASON. Yes, \$20,000.

Mr. WILSON, of West Virginia. So could the Secretary of State or the Secretary of the Interior.

Mr. BUTTERWORTH. I have no doubt of it. But the Secretary of State is occupying a more conspicuous place in the nation than the director general of this fair. Such men as Colonel Davis, quick, active, vigilant men of affairs, can command large salaries and can not be induced to accept employment where the compensation is less than the service will command in other fields, and especially in view of the fact that his office is temporary and prevents his attending to other business.

As an illustration of what some men are worth to business ventures, Edward T. Jeffery, one of the ablest men of the directory, had an offer of \$50,000 a year to take charge of a railroad in Mexico. But he declined, and largely because he had become committed to the work

of the exposition, and with his associates feels in a large measure responsible for its success. But the offer made indicates what salaries great ability will command.

The First National Bank of Chicago would undoubtedly pay Lyman J. Gage \$50,000 a year to retain his services, and they are worth it to the bank. It is so with other members of the directory; their time and ability will command almost any sum they ask, and yet our Government has both for nothing in promoting this national enterprise.

You need not feel disturbed, gentlemen, lest some of these men should shirk some responsibility or neglect some duty which has been properly devolved upon them. They are giving their time and best efforts to the promotion of this great project. And my country is reaping ten thousand fold for every poor scruple she appropriates to carry it forward. The only trouble is about these few salaries. Our committee has done the best it could to have them adjusted with reference to the requirements of the situation. That is all it could do.

Now, I have borne this witness because I think it is just, not only to the board I represent, but to the commission. I do not owe the commission anything. I have been criticised by it, or some of its officers, until I was out of all patience; but this is an enterprise compared with which men are nothing. The enterprise is everything. The world is looking on to see whether, in point of fact, a thousand miles inland, on what they regard as the frontier, it is possible to put on foot and carry forward an enterprise that shall eclipse any that the world has ever seen.

There ought to be national pride in this matter, there ought to be an appreciation of the efforts these men have put forth. I know how devoted they are. They are worn and weary in this struggle, and they deserve encouragement at the hands of the representatives of the people; and I want to say to this House—I shall not be in the next one, nor the next, nor the next, I suppose, for I do not consent to wear the peculiar brand which is now quite common in our State [laughter]—but if a member of the next House, and if after the people of Chicago and of the State of Illinois had put twelve or fifteen millions of dollars into this national enterprise, which must reflect honor upon every child of the Republic, they needed money to tide them over, I would vote it, and think I was doing my country a valuable service.

But they have not asked it. Suppose they do. You will grant it or withhold it as the circumstances may suggest that it is wise and just, or the reverse, to do so. You are still master of the purse strings. But if you shall find coming up from all the nations those who are to exhibit the evidence of their resources and prosperity, if you shall see brought from every part of the Republic that which will show to the world what freemen can accomplish in this Republic, and if you find in carrying forward the work you have devolved upon the people of Chicago you have "pressed their duty past their might," and they are compelled to ask a generous recognition of the nation and a fair contribution in return for their splendid efforts, I believe Congress would vote it, and I am certain that I would do so if a member of the House. But "sufficient unto the day is the evil thereof."

I repeat it is the nation's enterprise, and can not be permitted to fail for want of support from the country whose creature it is. Such failure would not reflect upon Chicago at all as compared with the humiliation it would bring upon the United States.

One thing is certain, whatever wisdom and justice demand, the representatives of the people will do.

Mr. ENLOE. Will the gentleman allow me to ask him a question? Mr. BUTTERWORTH. Yes, sir.

Mr. ENLOE. Is it in contemplation to have the colored element represented? I understand that there is some complaint that they are not represented.

Mr. BUTTERWORTH. Oh, no; they admit every one without regard to race, sex, color, or previous condition of servitude. [Applause and laughter.] A man need not be thoroughly nor utterly white and he suffers no damage from being utterly black. [Laughter.] In other words, this is an exposition for the benefit of the American people.

Mr. ENLOE. That is right.

Mr. BUTTERWORTH. The following statement, which I will insert in my remarks without detaining the House to read it at this time, indicates the purpose and character of the world's congresses. I mark it Exhibit A. I will embody in my remarks also a statement containing information concerning the exposition, which will be useful to the public. I mark it Exhibit B.

I now yield the floor.

#### EXHIBIT A.

"Not things, but men."

THE WORLD'S CONGRESS AUXILIARY OF THE WORLD'S COLUMBIAN EXPOSITION.  
The object of this organization.

As is now well known, the four hundredth anniversary of the discovery of America by Christopher Columbus will be celebrated at Chicago in 1893, under the sanction of the Government of the United States, on a scale commensurate with the importance and dignity of the occasion.

The measures already taken give satisfactory assurances that the exposition then to be made of the material progress of the world will be such as to deserve unqualified approval.

But to make the exposition complete and the celebration adequate, the wonderful achievements of the new age in science, literature, education, govern-

ment, jurisprudence, morals, charity, religion, and other departments of human activity should also be conspicuously displayed as the most effective means of increasing the fraternity, progress, prosperity, and peace of mankind.

It has therefore been proposed that a series of world's congresses for that purpose be held in connection with the World's Columbian Exposition of 1893, and the world's congress auxiliary has been duly authorized and organized to promote the holding and success of such congresses.

Among the great themes which the congresses are expected to consider are the following:

- I. The grounds of fraternal union in the language, literature, domestic life, religion, science, art, and civil institutions of different peoples.
- II. The economic, industrial, and financial problems of the age.
- III. Educational systems, their advantages and their defects; and the means by which they may best be adapted to the recent enormous increase in all departments of knowledge.
- IV. The practicability of a common language, for use in the commercial relations of the civilized world.
- V. International copyright and the laws of intellectual property and commerce.
- VI. Immigration and naturalization laws, and the proper international privileges of alien governments, and their subjects or citizens.
- VII. The most efficient and advisable means of preventing or decreasing pauperism, insanity, and crime and of increasing productive ability, prosperity, and virtue throughout the world.
- VIII. International law as a bond of union and a means of mutual protection, and how it may best be enlarged, perfected, and authoritatively expressed.
- IX. The establishment of the principles of judicial justice as the supreme law of international relations and the general substitution of arbitration for war in the settlement of international controversies.

It is impossible to estimate the advantages that would result from the mere establishment of personal acquaintance and friendly relations among the leaders of the intellectual and moral world, who now, for the most part, know each other only through the interchange of publications and, perhaps, the formalities of correspondence. And, what is transcendently more important, such congresses, convened under circumstances so auspicious, would doubtless surpass all previous efforts to bring about a real fraternity of nations and unite the enlightened people of the whole earth in a general co-operation for the attainment of the great ends for which human society is organized.

The organization is intended to promote the success of the exposition of the material products of civilization, science, and art, but will confine its own operations to the exposition, in appropriate conventions, of the principles of human progress.

CHARLES C. BONNEY, *President*.  
THOMAS B. BRYAN, *Vice President*.  
LYMAN J. GAGE, *Treasurer*.  
BENJAMIN BUTTERWORTH, *Secretary*.

EXPOSITION HEADQUARTERS, Chicago, Ill., U. S. A., October 30, 1890.

#### EXHIBIT B.

Two years ago the United States, as a representative nation of the New World, began to consider the propriety of celebrating the four hundredth anniversary of the discovery of America, by inviting the nations of the Old World to visit her shores. The closing decade of the most remarkable century in the Christian era, coinciding with the anniversary of an event unequalled in the history of this sphere, suggested the uniting of all mankind in a celebration of peace. The land where necessity and courage had fostered industry and wealth presented a fitting scene for such a gathering. Columbia, the youngest among the continents of the civilized world, should act the part of hostess at the celebration of her four hundredth birthday, by extending to the world an invitation to commemorate the event in a display of the material evidences of the progress of the human family. And such a commemoration should be called the World's Columbian Exposition.

#### ACTION BY CONGRESS.

The result of the popular demand for such a celebration was an act of Congress, approved by the President of the United States, April 23, 1890, which declares that "it is fit and appropriate that the four hundredth anniversary of the discovery of America be commemorated by an exhibition of the resources of the United States of America, their development, and of the progress of civilization in the New World."

The act further declares that "such an exhibition should be of a national and international character, so that not only the people of our Union and this continent, but those of all nations as well, can participate, and should, therefore, have the sanction of the Congress of the United States."

To carry out this purpose the act provides "that an exhibition of arts, industries, manufactures, and products of the soil, mine, and sea shall be inaugurated in the year 1893, in the city of Chicago, in the State of Illinois."

A commission is provided for, consisting of two commissioners and two alternates from each State and Territory and the District of Columbia, and eight commissioners and eight alternates at large, all of whom have been commissioned by the President of the United States.

This commission and a corporation organized under the laws of the State of Illinois, under the title of the "World's Columbian Exposition," are charged jointly with the task of making all needful preparations for the exposition and conducting it to a successful termination. The commission is composed of representative citizens of various States and Territories composing the United States, while the directory of the Illinois corporation embraces some of the wealthiest, best known, and most successful business and professional men in the city of Chicago.

These two bodies are working in perfect harmony, with the common purpose of making the exposition worthy of the great historic event it is designed to commemorate and a fitting illustration of the world's progress in civilization and in the various lines of human endeavor.

#### THE PRESIDENT'S PROCLAMATION.

The President of the United States has issued a proclamation notifying the world that the exposition will be held at the time and place named in the act of Congress, and inviting all foreign countries to take part in the same.

The proclamation is as follows:

#### "A PROCLAMATION.

"By the President of the United States of America:

"Whereas satisfactory proof has been presented to me that provision has been made for adequate grounds and buildings for the uses of the World's Columbian Exposition, and that a sum not less than \$10,000,000, to be used and expended for the purposes of said exposition, has been provided in accordance with the conditions and requirements of section 10 of an act entitled 'An act to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exposition of arts, industries, manufactures, and the products of the soil, mine, and sea in the city of Chicago, in the State of Illinois,' approved April 23, 1890:

"Now, therefore, I, Benjamin Harrison, President of the United States, by



virtue of the authority vested in me by said act, do hereby declare and proclaim that such international exhibition will be opened on the 1st day of May, in the year 1893, in the city of Chicago, in the State of Illinois, and will not be closed before the last Thursday in October of the same year.

"And in the name of the Government and of the people of the United States, I do hereby invite all the nations of the earth to take part in the commemoration of an event that is pre-eminent in human history and of lasting interest to mankind by appointing representatives thereto, and sending such exhibits to the World's Columbian Exposition as will most fitly and fully illustrate their resources, their industries, and their progress in civilization.

"In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington this 24th day of December, in the year of our Lord 1890, and the Independence of the United States the one hundred and fiftieth.

[SEAL.]

"By the President:

"JAMES G. BLAINE, Secretary of State."

"BENJ. HARRISON.

#### DEDICATORY CEREMONIES.

The act of Congress provides for the dedication of the buildings of the World's Columbian Exposition, in the city of Chicago, on the 12th day of October, 1892, with appropriate ceremonies. The exact character of these ceremonies has not been determined, but a description of the same will be announced in due time.

#### OPENING OF THE EXPOSITION.

The exposition will open on the 1st day of May, 1893, and will close not later than the 30th day of October thereafter.

#### FOREIGN EXHIBITS.

Section 11 of the act of Congress provides: "That all articles which shall be imported from foreign countries for the sole purpose of exhibition at the said exposition, upon which there shall be a tariff or customs duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell for delivery at the close of the exposition any goods or property imported for and actually on exhibition in the exposition buildings or on its grounds, subject to such regulations for the security of the revenue and for the collection of the import duties as the Secretary of the Treasury shall prescribe: "Provided, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against such articles and against the persons who may be guilty of any illegal sale or withdrawal."

Copies of the rules and regulations prepared by the Secretary of the Treasury in reference to the admission of foreign goods may be had on application to the director general.

Formal invitations to foreign governments, to participate in the exposition and appoint representatives thereto, are being issued by the State Department at Washington, together with the regulations adopted by the commission, which latter will be transmitted to the diplomatic representatives of foreign nations for publication in their respective countries.

#### UNITED STATES GOVERNMENT EXHIBIT.

Section 16 of the act of Congress in reference to the exposition provides: "That there shall be exhibited at said exposition, by the Government of the United States, from its Executive Departments, the Smithsonian Institution, the United States Fish Commission, and the National Museum, such articles and materials as illustrate the function and administrative faculty of the Government in time of peace, and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to the wants of the people; and, to secure a complete and harmonious arrangement of such a Government exhibit, a board shall be created to be charged with the selection, preparation, arrangement, safe keeping, and exhibition of such articles and materials as the heads of the several Departments and the directors of the Smithsonian Institution and National Museum may respectively decide, shall be embraced in said Government exhibit. The President may also designate additional articles for exhibition. Such board shall be composed of one person to be named by the head of each Executive Department, and one by the directors of the Smithsonian Institution and National Museum, and one by the Fish Commission, such selections to be approved by the President of the United States. The President shall name the chairman of said board, and the board itself shall select such other officers as it may deem necessary."

This board has been appointed, and is now actively at work making preparations for an exhibit, which it is believed will be fully illustrative of the rapid progress and advancement of the country since the organization of the Government.

One of the interesting features of the Government exhibit will be a life-saving station, erected on the shore of Lake Michigan and in operation, fully equipped with all apparatus, furniture, and appliances now in use in all the life-saving stations of the United States.

#### STATE EXHIBITS.

It is confidently believed that every State and Territory in the United States will be officially represented at the exposition by commissioners appointed for the purpose and by exhibits illustrating its resources and development.

Several State Legislatures have already made appropriations for this purpose, and the question is now under consideration by the Legislatures, now in session, in a number of other States.

Some of the States and Territories will, no doubt, erect buildings of their own, and those that do not do so will be afforded ample space for exhibits in the buildings erected by the exposition management.

#### AWARDS.

Awards are designed to indicate some independent and essential excellence in the article exhibited, and as an evidence of advancement in the state of the art represented by it. They will be granted, upon specific points of excellence or advancement, formulated in words by a board of judges or examiners, who will be competent experts; and the evidence of such awards will be parchment certificates, accompanied by bronze medals.

Such awards will constitute an enduring historical record of development and progress and at the same time afford exhibitors lasting mementos of their success.

#### ADMINISTRATION OF THE EXPOSITION.

Under the act of Congress the duties pertaining respectively to the national commission and the Illinois corporation are duly set forth, and each branch of the administration is already pursuing its line of work as therein mapped out. The financial management of the enterprise being vested in the Illinois corporation, executive power has, by mutual consent of both bodies, been deputed to the director general, George K. Davis, of Chicago, Ill.

#### PLAN OF ORGANIZATION.

The director general is the chief executive officer of the exposition, and the work is divided into the following great departments:

- A. Agriculture, food and food products, farming machinery and appliances.
- B. Viticulture, horticulture, and floriculture.

- C. Live stock: domestic and wild animals.
- D. Fish, fisheries, fish products, and apparatus of fishing.
- E. Mines, mining, and metallurgy.
- F. Machinery.
- G. Transportation exhibits: railways, vessels, vehicles.
- H. Manufactures.
- J. Electricity and electrical appliances.
- K. Fine arts: pictorial, plastic, and decorative.
- L. Liberal arts: education, engineering, public works, architecture, music, and the drama.
- M. Ethnology, archaeology, progress of labor and invention, isolated and collective exhibits.
- N. Forestry and forest products.
- O. Publicity and promotion.
- P. Foreign affairs.

Chiefs of departments of agriculture and publicity and promotion have been appointed by the director general, and the chiefs of the other departments will be named as the exigencies of the service may require.

#### BOARD OF LADY MANAGERS.

Section 6 of the act of Congress creating the World's Columbian Commission authorized and required said commissioners to appoint "a board of lady managers, of such number and to perform such duties as may be prescribed by said commission."

In pursuance of this authority, the World's Columbian Commission, authorized the appointment of two lady managers from each State and Territory and the District of Columbia, eight managers at large, and nine from the city of Chicago, with alternates respectively—said board to be convened at such time and place as the executive committee of the World's Columbian Commission should direct, and, when so convened, to organize by the election of a chairman and a secretary.

By order of the executive committee, October 21, 1890, approved by the Secretary of the Treasury of the United States, the president of the World's Columbian Commission called a meeting of the board of lady managers on the 19th of November, 1890, in the city of Chicago, whereupon a permanent organization was effected by the election of Mrs. Potter Palmer, of Chicago, as president, and Miss Phoebe Cousins, of St. Louis, as secretary.

The lady managers invoke active co-operation with the various organizations of the several States and Territories, in the work of proposed exhibits, and invite all women's organizations to work with and through them. Nor will they neglect the foreign field. Auxiliaries will be formed with the good offices of diplomacy in all foreign countries, with a view to securing a comprehensive, interesting, and instructive exhibit of women's work in all lands. Where necessary, the board will send its own agents to promote its purposes. A site, most desirable and commanding, has been secured, and a woman's building, of appropriate design prepared by women architects, will be erected thereon.

#### FINANCES.

The finances of the exposition are in excellent shape and fully warrant the statement that all the money necessary to make the exposition a great success will be forthcoming.

The Illinois corporation, known as the "World's Columbian Exposition," was first organized with a capital stock of \$3,000,000, which has recently been increased to \$10,000,000, of which about \$6,000,000 have been subscribed, and it is believed that the entire capital will be available as required.

In addition to the above, the city of Chicago has authorized the issuance of \$5,000,000 in bonds, and it is therefore safe to say that fully \$15,000,000 will be provided in due time for the expenses of the exposition. The United States will also appropriate from time to time, as may be necessary, sums aggregating \$15,000,000 for the Government exhibit and the expenses of the national commission.

#### SITE FOR THE EXPOSITION.

A beautiful and suitable site has been selected for the exposition, containing fully 1,000 acres, charmingly situated on the shore of Lake Michigan.

Jackson Park, in the southern section of the city, has been selected as the site for the main exposition; the lake front, near the heart of the city, for part of it, and the Midway Plaisance and Washington Park, adjoining Jackson Park, as reserves for possible other parts. Upon these parks there have already been expended nearly \$4,000,000 in improvements, prior to their being selected as the exposition site.

It is intended to use Jackson Park, in its entirety, for exposition purposes, leaving the improved parts, as much as possible, in their present condition, while the unimproved parts will be laid out in a manner appropriate to the whole plan of buildings.

The work of preparing the grounds for the exposition is now in progress, and leading architects, selected for the purpose, are busy making plans and specifications for the buildings. Ground was broken on the 27th of January, 1891.

Work will begin on the buildings in the spring, and their construction will be pushed so as to secure, beyond peradventure, their completion in ample time for the needs of the exposition.

#### THE GROUNDS.

In the preparation of the grounds the present Northern Inlet in Jackson Park will be further extended and become a large lagoon, inclosing the island, now covered with an extensive body of native wood. This will afford a natural landscape and supply an episode of scenery in refreshing relief to the grandeur of the buildings, and, through its sylvan qualities, to the crowded and busy aspect that must be looked for almost everywhere else within the grounds.

From this lagoon a canal will continue the water way southward along the main building, and into a large water basin which is to form the center of a great square about which the principal buildings of the exposition will be grouped. Fountains will be in operation in this basin, forming a brilliant spectacle in the sunlight or when illumined by colored incandescent lamps at night. The banks of these land-locked bodies of water are to be finished in a manner appropriate to the various localities through which they pass. The borders of the canal and the basin in the court will have embankments of stone or brick, surmounted by parapets or balustrades of stone, iron, brick, or terra cotta, and opening upon steps and landings, for the use of boating parties.

All walks and outdoor places for assemblages of people will be furnished with numerous seats and resting places, and will be paved with mosaics of brick, stone, or concrete blocks, except where gravel or stone chips may seem more expedient.

The grounds will, of course, be highly ornamented with shrubs, trees, turf, and flowers.

#### THE BUILDINGS.

The buildings will be impressive in appearance, and, to afford protection when the weather is inclement, a grand arcade will connect the buildings so that inconvenience may be reduced to a minimum.

#### LAKE PIER.

Opposite the great square, a pier, to be of such form and direction as may hereafter be determined, will project into the lake about 1,500 feet. It is to be so constructed as to form a safe harbor for the landing of lake craft.



The floor of this pier will slope gently from the shore, so that visitors may get an unobstructed view of the court and its surroundings, the paved beach covered with people, and the architectural grandeur of the most imposing and important buildings of the fair.

A large restaurant and resting place will be erected at the outer end of this pier, with a band stand and dancing floor in connection. This pier is intended to be a noted feature of the exposition.

#### GOVERNMENT BUILDING.

The Government will furnish its own building and exhibits. A large open campus will be left for Government use and display.

Across the inlet from the Government exhibit will be the building for the fisheries. A building here, as beautiful as possible in appearance, will be erected of durable materials, and fitted with every arrangement and detail to carry on the propagation, subsistence, and display of water animals. A plant for heating will be supplied.

#### NAVAL EXHIBIT.

It is proposed that the exhibit of the Navy Department shall be in a building detached from the main Government exhibit. The building is to be in the form and of the dimensions of one of the new armored coast line battle ships (two of which are being constructed in Philadelphia and one in San Francisco).

It is not proposed to build a fac simile of a ship in all details, excepting that part which is above the water.

The berth deck of this vessel will be used, in the main, as the exhibit deck of models and various other naval appliances, such as have heretofore been shown on the exhibition floor of the previous exhibitions.

The exterior, the main deck, the battery deck, and the military mast will be a fac simile of the three battle ships now being constructed. The turrets will be in place, the guns in place, the boats in place, and, in fact, all the appliances as far as may be practicable.

The armament of these vessels, and which will be represented in the proposed building, will consist of four 13-inch guns, eight 8-inch guns, four 6-inch guns, twenty 6-pounders, and a number of smaller guns which will be mounted on the upper deck and on the military mast.

The vessels of which this building will be a prototype are the largest, the heaviest, and the most formidable of any ever built in this country. They are also equipped with torpedo tubes and torpedo boats, and protected by 17-inch thickness of armor-plating.

It is not probable that the interior model of the ship can be exhibited in a satisfactory manner, but these different interiors will be shown in models as far as practicable.

#### ADMINISTRATION BUILDING.

The administration building will be the terminus of all transportation lines entering the exposition grounds. Offices will be provided therein for bureaus of information, police, fire, public comfort, etc. It will combine architectural beauty with every facility for the dispatch of business.

#### MACHINERY HALL.

The machinery hall, which will be larger than any before built, will not only cover machinery in the ordinary sense, but will furnish a great central open space, spanned with wide trusses, where there shall be the best chance possible for the display of the different transportation exhibits.

Railway tracks are to be laid in all passages and covered with the floors when not in use, so that heavy machinery may be moved about at will. These railway tracks are to lead out upon the main lines in the grounds, so that locomotives and cars may enter and depart without delay. Power houses and heating plants will be constructed in connection with this building.

#### MANUFACTURERS' BUILDING.

The main building for manufactures is to be arranged to serve many purposes. In it, either on the ground-floor level or above, are to be special isolated rooms for judges and for special societies or committees. Here are to be restaurant and toilet rooms, toward the canal and toward the lake. The lighting of this building is to be especially cared for, and heating provided where necessary for comfort or to carry on any exhibit.

#### ELECTRIC AND MINING EXHIBITS.

The electric and mining exhibits are to occupy each a building across the canal from the manufacturers building, each adapted to its purpose and furnished with power. The one for electricity is to be adapted not only for power house and light station, but for all displays and contests in manufacturing and by companies or persons in that business, and to be in itself, when seen from a distance, an object of beauty by day or night.

This group of buildings, namely, the administration, the machinery, the manufacturers, the mining, and the electric, are to form a whole in design; they are intended as a mass to be impressive, as a plan most convenient, and as structures to be very substantial. The materials entering into their composition will be largely iron and masonry of brick and stone, though a free use will be made of terra cotta, wood, and other materials.

#### HORTICULTURAL EXHIBIT.

Without destroying the improved part on the north, the horticultural exhibit is to be placed there upon the open meadow. The building will be largely of iron and glass, and furnished with a plant for purposes of heating and ventilating. The large open green in front of the building will be used for the out-of-door horticultural exhibits. Among the trees near this location, and placed in a way to preserve them, will be a few small, finely designed houses, either for the States or of some archeological interest.

An imposing entrance arch and administration station is to be placed on the Midway Plaisance, that may be permanent, and is therefore to be of lasting materials.

#### AGRICULTURAL AND LIVE-STOCK EXHIBITS.

The agricultural and live-stock exhibits will be located in the southwestern portion of the park, where the land is comparatively high and well protected. For agriculture, which includes food products, agricultural implements and machinery, a main building is to be erected, in size and arrangement adapted to every need of this great department, and having an independent heating plant. There is also a separate department for forestry and forest products.

For live stock, the buildings are to be adapted to the needs as shall be expressed by those having this department in charge. In general there will be housing for stock and their attendants and hospitals for the animals. There will be grand stands and display wings, and other buildings to meet all proper requirements. These buildings are to be temporary, but will be carefully designed with due regard to beauty and general effect.

Realizing the importance of the agricultural and live-stock exhibits, it is the intention of the designers to make these departments interesting in plan and appearance by all the arts at their command. A proposition to set apart \$200,000 for cash premiums for the live-stock exhibits is being considered, and favorable action on it is expected.

#### ART EXHIBIT.

It is the intention to locate on the Lake Front Park, near the heart of the city, the buildings required for Department K, embracing fine arts, pictorial, plastic, and decorative, and also a portion of Department L.

Ample station facilities will be provided for the crowds who will make this ground a starting place for their visits to Jackson Park.

#### OTHER ATTRACTIONS.

Among the various independent attractions which have been suggested in connection with the exposition may be mentioned a tower 1,492 feet high, an immense mine showing the mineral wealth of the country, a floating palace hotel on Lake Michigan, a fountain of California wines, a coal palace, a corn palace, an exhibit of shoe and leather industries of the world—for which latter purpose it is proposed to raise a fund of \$100,000 for a special building—and other ingenious devices.

#### LIGHT, HEAT, POWER, ETC.

**ELECTRICITY.**—The lighting of the exposition will be by electricity, and much of the power to be supplied will be by the same means. Displays are to be made under fountains and water ways, and possibly under the outer lake itself.

**STEAM.**—The special large plant will be at the machinery building, from which heat and power may be transmitted to the administration building. In other places needing steam there will be separate plants.

**GAS.**—Gas is to be used as little as possible, and only when demanded for set purposes of manufacture or very late lighting.

**WATER.**—An arrangement will be made with the city of Chicago to furnish all the water required for exposition purposes.

All buildings for exhibits are to be designed with reference to the health and convenience of attendants and visitors and provided with spaces for taking care of packing cases and extra goods, with due regard for the safety of the contents; but it is impossible to go into further particulars about the planning or exteriors at this early date.

**SEWERAGE.**—This work will be handled by those most expert, to insure a perfect fulfilling of its functions.

#### TRANSPORTATION.

All public passenger railways, whether steam, cable, electric, or horse, will enter the park at the southwest corner, though any of them may have stations at the Midway Plaisance, or other convenient places, if kept outside the grounds. Roads entering the inclosure will deliver passengers inside the administration building, and from this place an intramural, electric, elevated road will pass out through the grounds, entering buildings, where deemed advisable, and having convenient stations where necessary. It will connect with the station at the Midway Plaisance and pass back to the administration building by another route, thus forming a complete circuit and making it easy to go from one place to another without walking.

Visitors once in the fair will come out of the administration station upon the great square, where all the spaces will be very broad, affording ample room for the gathering or dispersing of large crowds. Wheeled chairs and other means of conveyance are to be always kept in attendance at this point.

#### DEMANDS FOR SPACE.

Large as the area for the forthcoming exhibit undoubtedly is, it will require the greatest circumspection on the part of those intrusted with the allotment of space to prevent its being inadequate. Already two States have signified their desire to occupy each ten acres of ground and as a means to filling the same, have decided to appropriate \$1,000,000 for their respective State exhibits, and to erect separate buildings for that purpose.

#### EXPOSITION OFFICES.

Commodious quarters have been fitted up in the Rand-McNally building, at Chicago, Ill., and are now occupied by the exposition officers of both the Chicago directory and the national commission.

Visitors to Chicago, who feel an interest in the exposition, are invited to call at the exposition headquarters, where any information they may desire on the subject will be cheerfully furnished.

#### INFORMATION FOR EXHIBITORS.

Copies of the classification, in pamphlet form, rules and regulations, blank applications to exhibitors, and all other necessary blank forms, as well as information which may be desired, and which is not contained in this pamphlet, will be furnished on application to Hon. George R. Davis, director general, World's Columbian Exposition, Chicago, Ill., United States America.

#### OFFICERS OF THE WORLD'S COLUMBIAN COMMISSION.

Thos. W. Palmer, Michigan, president; Thos. M. Waller, Connecticut, first vice president; M. H. De Young, California, second vice president; Davidson B. Penn, Louisiana, third vice president; Gorton W. Allen, New York, fourth vice president; Alexander B. Andrews, North Carolina, fifth vice president; John T. Dickinson, Texas, secretary; James A. McKenzie, Kentucky, vice chairman executive committee; A. B. Hurt, Tennessee, assistant secretary for the executive committee.

#### OFFICERS OF THE WORLD'S COLUMBIAN EXPOSITION.

Local board: Lyman J. Gage, president; Thomas B. Bryan, first vice president; Potter Palmer, second vice president; A. F. Seeberger, treasurer; Benjamin Butterworth, secretary.

Executive committee: Lyman J. Gage, Potter Palmer, Ferd. W. Peck, Edwin Walker, W. T. Baker, M. M. Kirkman, Thomas B. Bryan, De Witt C. Cregier, Erskine M. Phelps, William E. Strong, Charles L. Hutchinson, Otto Young, R. C. Clowry.

#### EXECUTIVE.

George R. Davis, director general; Moses P. Handy, chief department publicity and promotion; W. I. Buchanan, chief department of agriculture; Joseph Hirst, Florida, secretary, installation.

#### CHICAGO, THE EXPOSITION CITY.

In the selection of a location for the Columbian Exposition the Congress of the United States encountered a difficulty such as no legislative body had ever experienced when considering such a subject. In older countries the capital ranks so far ahead of other cities that the mere suggestion of an international exposition carries with it the understanding that the seat of such exposition shall be the national capital. Thus London, Paris, Berlin, Vienna, and other European capitals have been acknowledged to possess an unchallenged right to an international exhibition whenever their respective countries have decided to hold such a celebration.

In the United States, however, the spirit of democracy is carried out even to a rivalry between the great cities of the country. Thus it happens that there are at least five cities of such a metropolitan character that any one of them could adequately provide for the needs of an international exposition. New York, Chicago, Philadelphia, Boston, and St. Louis are all of the rank of exposition cities. At any one of these the Columbian Exposition might have been held with fair assurance of success. Between three of these, New York, Chicago, and St. Louis, ensued a friendly contest as to which should have the honor of entertaining the visitors of the exposition. The result of this contest was the selection of Chicago and the graceful acceptance of that selection by the country at large.

#### A TYPICAL AMERICAN METROPOLIS.

Chicago is the typical American city in age, extent, and development. Sixty years ago the population of Chicago, according to the Government report, consisted of three families, occupying log cabins; to-day it is the second city in the United States, having a population of 1,250,000, which also entitles it to the rank



of seventh among the great cities of the world. The three logcabins mentioned in the Government report of sixty years ago have multiplied into a city possessing over 2,000 miles of street frontage, a river frontage of nearly 50 miles, and a lake frontage of nearly 20 miles.

Condemned half a century ago as an unhealthy swamp, the Chicago of to-day boasts an exceptional sanitary record, its average rate of mortality, 17.49 per 1,000, comparing favorably with any center of population of equal dimensions in the world. A little over fifty years ago Chicago was barely deemed of sufficient area to be admitted to the dignity of a city. To-day it comprises upwards of 170 square miles within its municipal limits. Twenty years ago the city was devastated by a disaster unequalled in modern history, a conflagration which destroyed nearly twenty thousand buildings, resulting in a loss of \$200,000,000, of which, however, not a trace remains in the city of to-day.

#### MAMMOTH BUILDINGS.

Within the present city of Chicago are buildings of a magnitude such as are unequalled elsewhere—huge structures, ten, twelve, sixteen, and even twenty stories in height, in one of which it is estimated that upwards of 20,000 people, or ten times the population of Illinois at the beginning of the century, have been present at one time. Nature herself has apparently aided the exertions of man in converting the swamp of fifty years ago into a magnificent metropolis.

The average mean temperature from May 1 to November 30 being 59.6 Fahrenheit, during the past six years, varied between 39.9 in November to 75.5 in July. For the exceptionally favorable health statistics Chicago is largely indebted to its unrivaled park and boulevard system. The parks proper include an area of nearly 2,000 acres. The boulevards offer an almost unbroken driveway around the central portion of the city upwards of 30 miles long, varying from 100 to 200 feet in width.

#### MARITIME TRADE.

Half a century ago the arrival of such a squadron as Columbus commanded four hundred years ago would have been an event of importance in Chicago, which to-day is the second port in the United States in respect to tonnage and the first in number of vessels arriving and clearing. Upwards of 25,000 vessels, with a tonnage of nearly 9,000,000 tons, arrive and clear each year.

In every branch of industry the progress of Chicago has been phenomenal to such an extent that the city itself will constitute one of the most remarkable exhibits of the century.

#### A PHENOMENAL INDUSTRY.

The single butcher shop which represented the meat industry of early Chicago has given place to an industry which annually receives upwards of 10,000,000 head of live stock valued at \$200,000,000, and ships upwards of 1,000,000,000 pounds of dressed meats, besides 1,000,000 cases of canned meat and barrels of pork. The human family further looks to Chicago as the food dispensary for an annual supply of nearly 100,000,000 bushels of wheat, corn, oats, rye, and barley, in addition to nearly 2,000,000 barrels of flour.

#### CHICAGO AS A RAILWAY CENTER.

For the clearance of this volume of traffic, in addition to the water facilities, there are twenty-seven railways terminating in Chicago. They reach from Chicago to the Atlantic and Pacific Oceans, Lake Superior and the Gulf of Mexico, and all the great cities of the United States and Canada, as well as the borders of Manitoba and Mexico. These lines vary in length from 50 to 7,000 miles.

There are six union depots in the city, handsome and commodious structures, besides two depots used exclusively by the lines which own them.

A passenger may enter at Chicago a luxuriously furnished sleeping car, and without leaving it, reach all of the principal seaboard cities of the United States, as well as railway lines leading into Canada on the north and Mexico on the south. Nine hundred and two exclusively passenger trains arrive and depart at Chicago each day, of which 248 are through or express trains, the remainder, suburban and accommodation trains. It is estimated that fully 175,000 people arrive and depart each day at Chicago.

In the way of warehouses and trackage the railroad facilities are so great that even the tremendous pressure brought about by a World's Fair will hardly be looked upon as a strain. Several belt lines encircle the city, affording connection and transportation facilities with every entering railroad, thus giving direct connection between depots located at a distance from each other.

Add to this modern convenience the fact that the actual yard facilities for the storage of freight, pending its delivery, are already in excess of local requirements, large as they are, and the fact that in nearly every case they can be increased if necessary, the result is a combination of freight facilities practically perfect.

#### HOTEL ACCOMMODATIONS.

To the exhibitor and visitor who will have occasion to test Chicago's accommodations in the matter of hospitality it may be mentioned that there are upwards of fourteen hundred hotels in the city, with an average capacity for housing one hundred guests each. In several of the larger hotels upwards of one thousand people have been entertained, and in the matter of hotel building there are several new structures in process of completion, which will make the hotel accommodations of the city at the date of the exposition equal to two hundred thousand. In addition to the hotels proper there are upwards of five thousand private boarding houses and about half that number of tenement flats where strangers can be provided with sleeping accommodations. Conservative figures place the estimate of Chicago's capacity as furnishing accommodation for three hundred thousand strangers.

#### TRANSPORTATION FACILITIES.

The transportation of such an enormous crowd is amply provided for. A system of cable and horse-power street cars and suburban railway trains traverses the city in every direction, the daily capacity of which is nearly 3,000,000 passengers. In addition the city will shortly be enriched by at least two elevated railroad systems, which the throng of street traffic has rendered imperative.

#### CITY GOVERNMENT.

The government of this vast community is intrusted to a mayor and city council, under whose jurisdiction the administration of the city is conducted in a manner that compares favorably with that of any city of its magnitude. The police force includes 1,036 men, a number which would be inadequate for the proper government of such a metropolis were it not for the admirable system of telegraph stations dotted over the city at distances a quarter of a mile apart, and the police patrol wagons, which stand in readiness day and night to be summoned to the scene of a disturbance at a moment's notice.

#### FIRE DEPARTMENT.

Admirable as the police system is, the fire department of the city is still more worthy of commendation. The great fire of 1871 taught a severe lesson to the citizens of Chicago, and the result is a fire department unequalled in any city in the world. It includes 56 steam fire engines, 12 chemical engines, 21 hook and ladder trucks, 3 fire boats, 1 standpipe and water tower, 380 horses, and 800 men. On the occasion of distinguished visitors being the guests of the city authorities it is one of the sights of the city to demonstrate the effectiveness of the fire department. The fire-alarm telegraph system places the means at the disposal of any citizen to summon half a dozen fire engines to any point in the

city in an incredibly short space of time. The ease and marvelous rapidity with which the department acts in answer to a summons has elicited the admiration of all who have witnessed it.

#### WATER SUPPLY.

In the matter of water supply Chicago is exceptionally well provided. Lying on the shore of Lake Michigan, the city is never without an abundance of water. At distances from 2 to 4 miles from the shore are inlets to subterranean water tunnels, yielding a daily supply of 150,000,000 gallons. Additional tunnels are now in course of construction and will be completed before the opening of the exposition. To preserve the waters of Lake Michigan from contamination by city sewage a system of drainage has been adopted, whereby the course of the Chicago River, the present outlet for the sewers, has been reversed, and, instead of emptying into Lake Michigan, the river is pumped out into other channels inland, thence through the Illinois River to the Mississippi.

#### POST OFFICE.

The Chicago post office furnishes statistics which perhaps show the metropolitan character of the city better than any other data which may be quoted. Thus it appears that during a single year over 500,000,000 mail packages passed through the office, in addition to 27,000 tons of mail matter transferred from incoming to outgoing trains. The present post-office building, which was erected twenty years ago at a cost of about \$4,000,000, has already been found inadequate to the wants of the Department, and an agitation is now in progress to rebuild it on a scale that will make the Chicago post office exceed in cubic measurement even the great mail-distributing center at St. Martin's, London.

In addition to receiving and dispatching local mail, the post office at Chicago is the headquarters for the sixth division railway mail service, which employs 856 railway clerks in the distribution of mails on cars throughout Illinois, Iowa, Nebraska, and Wyoming. The Inspector in charge at the Chicago post office has under his jurisdiction 10,000 postmasters and their employees, dispersed through the States of Illinois, Iowa, Wisconsin, Michigan, Minnesota, and the Dakotas.

#### THE PRESS OF CHICAGO.

There are 531 newspapers published in Chicago, and the extent of their circulation may be gauged from the statement that 20,000,000 pounds of serial matter finds its way through the Chicago post office annually.

It would be possible to multiply statistics upon statistics showing the wisdom of Congress in selecting Chicago as the seat of the Columbian Exposition. As, for example, that there are nearly 500 churches, with an average weekly attendance of 120,000; 25 theaters, with a seating capacity for 35,000; 120 public schools, etc. But to recount statistics of a city which yearly adds nearly 50 miles to its buildings would be a futile labor, and, moreover, their present showing would be comparatively inaccurate at the date of the Columbian Exposition of 1893.

#### PREPARATIONS FOR THE EXPOSITION.

The preparations which Chicago has made for the forthcoming exposition give promise of this celebration being equal to any which the world has seen. Under the terms of the act of Congress providing for the exposition, at least \$10,000,000 had to be raised before the President of the United States could issue his proclamation inviting the world to participate in the enterprise. Of this sum the people of Chicago have authorized the municipal government to raise \$5,000,000, pledging the city's credit for such amount, and the remaining \$5,000,000 has been forthcoming by public subscription to the stock of the local corporation.

Of the latter organization it may be said that it fairly represents the people of the Western metropolis, its list of 30,000 shareholders including representatives of every condition of society, trade, and profession. The original amount intended to be raised, namely, \$5,000,000, has already been more than subscribed, and the directors of the association have every confidence that an additional capital of \$5,000,000 will be forthcoming, thus giving the exposition a fund of \$15,000,000, in addition to the \$1,500,000 appropriated for the Government exhibit.

Mr. CANNON. Let the Clerk proceed with the reading of the paragraphs.

The Clerk read as follows:

For contingent expenses of the World's Congress auxiliary of the World's Columbian Exposition, \$2,500.

Mr. CANDLER, of Massachusetts. I offer the following amendment:

Strike out from line 16, on page 39, to line 2, on page 40, and from line 7, on page 40, to line 2, on page 41 (all lines included).

After line 15, on page 39, insert:

"For the expenses of the World's Columbian Commission and Board of Lady Managers, \$40,000: *Provided*, That all expenditure made from this appropriation shall be subject to the approval of the Secretary of the Treasury on itemized accounts and vouchers as now provided by law, and the Secretary of the Treasury in the exercise of the authority of approval hereby conferred upon him is directed not to approve the payment of any expense attendant upon a meeting of the World's Columbian Commission or of the Board of Lady Managers, except such meetings as may be called at the time of the dedication and opening of the World's Fair as provided for in section 9 of said act; nor to approve the payment of any expense attendant upon a meeting of the executive committee of the World's Columbian Commission, as created by article 5 of the by-laws of said commission, nor upon a meeting of the executive committee of the Board of Lady Managers, except such meetings as may be held not oftener than once in six months; nor to approve the payment of any salary to any officer of the World's Columbian Commission out of any money which has been or may be available for such purpose, other than an annual salary not in excess of \$5,000 to the president, \$4,000 to the vice chairman of the executive committee, and \$3,000 to the secretary; nor to approve the payment of any salary to any officer of the Board of Lady Managers out of any money which has been or may be available for such purpose other than an annual salary not in excess of \$5,000 to the president and \$3,000 to the secretary."

Mr. MASON. I make the point of order that it changes existing law and is not a proper part of an appropriation bill. I do not care to discuss the question now, but ask that it may be considered as pending.

Mr. CANNON. Pending the point of order, Mr. Chairman, I believe, as it is pension night, I shall move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the sundry civil appropriation bill, and had come to no resolution thereon.



# BRIDGE OVER THE MISSOURI RIVER, NEAR COUNCIL BLUFFS, IOWA, AND OMAHA, NEBR.

Mr. MASON. Mr. Speaker, I desire to present a conference report, which is privileged.

The Clerk read as follows:

A bill (H. R. 13071) to authorize the construction of a railway, street-railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr.

The report of the committee of conference was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13071) authorizing the construction of a railway, street-railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same.

WM. E. MASON,  
J. H. SWENEY,  
*Conferees on the part of the House.*  
G. G. VEST,  
PHILETUS SAWYER,  
W. D. WASHBURN,  
*Conferees on the part of the Senate.*

The statement of the House conferees was read, as follows:

The effect of the conference report is to agree to the Senate amendments, which relate to the details of the bill, except one, which provides that the bridge shall be constructed in all respects as a first-class railroad bridge, with foundations and superstructure of sufficient strength to admit the safe passage of railway trains of maximum weight.

W. E. MASON,  
J. H. SWENEY,  
*Conferees on the part of the House of Representatives.*

The SPEAKER. The question is on the adoption of the report of the committee of conference.

The question was put, and the report was adopted.

## OPENING OF THE CHEROKEE STRIP TO SETTLEMENT.

Mr. MANSUR, by unanimous consent, obtained leave to have printed in the RECORD the following resolution, adopted by a convention of citizens of Kansas and of Oklahoma Territory, held at Arkansas City, Kans., on January 29, 1891, asking legislation by Congress to open the lands of the Cherokee Strip to settlement; which was referred to the Committee on the Territories:

Whereas the lands commonly known as the Cherokee Outlet, lying immediately south of the State of Kansas, comprising over 6,000,000 acres of unoccupied land, are needed by the people of the United States for American homes; and

Whereas said lands are no longer used by the Cherokee Nation as an outlet, but have been abandoned, and by treaty stipulations have reverted to the use of the United States; and

Whereas these lands have been illegally leased, and never officially approved, for several years to gigantic, nontaxpaying syndicates of cattle kings by the Cherokee Nation, thus destroying the home industry of cattle raising by the taxpaying farmers of the Western States; and

Whereas the United States has exercised unqualified ownership over said Outlet by forcibly ejecting, by means of United States troops, all intruders, including Cherokee citizens holding underleases from the Cherokee Nation; and

Whereas thousands of homeless people of every State, and thousands of homeless old soldiers who saved this country for free homes, need these lands which the Cherokees are now asking the Government to protect them in unlawfully holding, and which they have long since forfeited to the United States; and

Whereas the Territory of Oklahoma is situated in the center of the Indian Territory, surrounded on all sides by nonprogressive Indians, thus retarding its material advancement in wealth and power, when the immediate opening of the Outlet would add to its territory and start the commonwealth of Oklahoma on the highway to lasting prosperity and fit it for statehood; and

Whereas it is the unquestioned and acknowledged policy of this Government to bring the Indian in contact with American thrift and energy, thus advancing his civilization by causing him to see the good effects of land held in severalty, yet large and unoccupied tracts of land will forever bar this beneficent policy; and

Whereas, the United States Government having appropriated millions of acres of public land to railroads and other corporations, justice demands that this remnant of land should be given to actual settlers whereon to build American homes; and

Whereas, the American Congress having appropriated millions of dollars to improve the deep harbors of the Gulf, the withholding of this large domain of public land from civilized and white settlement will detract largely from the benefits of said appropriations: Therefore,

Be it resolved, I. That we heartily indorse the Mansur bill.

II. That we request the Kansas and Oklahoma delegation and our friends in Congress to make a determined fight and use every honorable effort to have this Outlet opened.

III. That unless the Cherokee Nation immediately accepts the offer of the commissioners appointed under the act of March 2, 1889, or that Congress fails to pass the Mansur bill, or a similar one, then we call upon the President of the United States, if it be found that it can be done legally, to proclaim the Outlet open to settlement, and thus relieve the distress of thousands of homeseekers who are camped upon the borders, and if permitted to enter now would be able to make a crop this year.

IV. That we protest against an organized raid upon said land, and call upon all law-abiding people, now waiting upon the borders, to not forfeit their homestead rights by joining an unlawful organization to take possession of these lands.

V. That it is the sense of this mass meeting that the immediate passage of the Mansur or Perkins bill will, by connecting us through civilization in the Territory to the Southern States, cement the bonds of friendship between the West and South and turn commerce to its proper channel upon the Southern seacoast.

VI. That we earnestly urge Congress to ratify and confirm the agreements made with the Citizen band of Pottawatomie Indians, the Absentee Shawnee Indians, the Sac and Fox Indians, the Iowa Indians, and the Cheyenne and Arapaho Indians, in Oklahoma Territory, and to make appropriations for carrying the same into effect, and for other purposes.

VII. That a copy of these resolutions be transmitted by the secretary of this

meeting to the President of the United States, the Secretary of the Interior, Hon. B. W. PERKINS, chairman of the Committee on Indian Affairs; Hon. C. H. MANSUR, of Missouri; Hon. WILLIAM SPRINGER, of Illinois; Hon. I. S. STRUBLE, of Iowa; Hon. S. W. PEEL, of Arkansas; Hon. H. L. DAWES, of Massachusetts; the Kansas and Oklahoma delegation in Congress.

Respectfully submitted:

Jerry Simpson, chairman, Medicine Lodge; John W. Nyce, secretary, Caldwell; J. M. Brooks, Guthrie; A. M. Colson, Kingfisher; S. L. Jones, Portland; Oscar Johnson, Lindsay; B. H. Clover, Cambridge; Amos Walton, Arkansas City; A. J. Spengel, Guthrie; George W. Scott, Arkansas City.

## ESTABLISHMENT OF PORTS OF DELIVERY IN ALASKA TERRITORY.

Mr. LIND. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 2692) to establish certain ports of delivery in Alaska Territory.

The bill was read at length for information.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. OWENS, of Ohio. I object.

The SPEAKER. Objection is made.

## ENROLLED BILL SIGNED.

Mr. KENNEDY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 10520) to reimburse H. W. Keyes for money wrongfully paid to the United States for commutation; when the Speaker signed the same.

## ORDER OF BUSINESS.

Mr. COGSWELL. Regular order.

Mr. MCCLAMMY. I move that the House do now adjourn.

## APPOINTMENT OF CONFEREES.

The SPEAKER announced as conferees on the disagreeing votes of the two Houses on the bill (S. 874) for the erection of a public building in the city of Roanoke, Roanoke County, Virginia, Mr. MILLIKEN, Mr. LEHLBACH, and Mr. DIBBLE.

The SPEAKER. The hour of 5 o'clock having arrived, the House is now in recess until 8 o'clock this evening; the evening session to be held for the consideration of bills under the rules of the House, and the gentleman from California [Mr. MORROW] will act as Speaker *pro tempore*.

## EVENING SESSION.

The recess having expired, the House was called to order by Mr. MORROW as Speaker *pro tempore*.

The SPEAKER *pro tempore*. The House is in session, under the rules, for the purpose of considering pension bills.

## ORDER OF BUSINESS.

Mr. MORRILL. Mr. Speaker, I move that the House proceed to consider pension bills on the Private Calendar as in Committee of the Whole.

The SPEAKER *pro tempore*. Without objection, that order will be made.

There was no objection.

## MARY C. RINGGOLD.

The first bill considered on the Private Calendar was the bill (H. R. 12120) to increase the pension of Mary Condy Ringgold, widow of George H. Ringgold, late lieutenant colonel and deputy paymaster general, United States Army.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay Mary Condy Ringgold, widow of George H. Ringgold, late lieutenant colonel and deputy paymaster general, United States Army, a pension at the rate of \$50 per month instead of the pension she is now receiving.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12120) granting a pension to Mary C. Ringgold, submit the following report:

The beneficiary is the widow of George H. Ringgold, late lieutenant colonel and deputy paymaster general, United States Army.

Colonel Ringgold graduated at West Point in the same class with General Rosecrans, was appointed an additional paymaster in 1846, was promoted deputy paymaster general, with the rank of lieutenant colonel, United States Army, in May, 1862, and was chief paymaster Department of the Pacific from 1861 to April 4, 1864, when he died.

The beneficiary is now his widow, sixty-two years of age, in feeble health, and is absolutely without any means of support except her pension of \$30 per month, which she is now receiving, and the earnings from her own labor.

She has two daughters (her only children), both unmarried. The younger is in delicate health and is supported by her mother.

Mrs. Ringgold has also an invalid sister supported by her and her older daughter. She has no relative to whom she can look for her support in her old age.

Colonel Ringgold was a Southern man by birth, and when the civil war broke out he was stationed at San Francisco, Cal. General Albert S. Johnston was then stationed at this place, in command of the Department of the Pacific.

As is well known, there was a large element in the population of that State that favored the secession of that State, and plans were being laid, with the knowledge and under the advice of General Johnston, to secure that result. Suddenly General Johnston was relieved of his command and General Sumner appointed in his place, and the efforts to secure the secession of California were thwarted, and that State and perhaps Oregon were saved to the Union.

This was before the days of telegraphs and railroads across the continent. The part that Colonel Ringgold had in securing this important result will fully



appear in the accompanying letter from General W. C. Kibbe, then and for several years thereafter adjutant general of that State:

WASHINGTON, D. C., September 26, 1890.

"MY DEAR MADAM: I have great pleasure in stating to you, in connection with your request that I see the Hon. Mr. SAWYER, of New York, that there is a matter of unwritten history which may avail you in the legislation you are seeking from Congress.

"It is this, namely: Early in 1861—say, about the 29th of March—while adjutant general of California, being on business for my State, I received a joint letter from two very dear and loyal friends in San Francisco stating that plans were on foot and nearing completion for the secession of California from the Union, in which Oregon would join, giving me full particulars of the same and stating that the writers, being of Southern birth, had been approached with impunity, the plotters not dreaming but that a simple request was all that would be required to enlist my friends in this bold and promising scheme. But, to their great disgust and disappointment, one of them replied: 'I was educated by the Government, and nurtured and protected under the old flag, which I have sworn to defend under any and all circumstances, and you must not now ask me to lift a hand against it, for this I shall never do.' The other responded in a manner to almost dismay these plotters.

"Presuming now that you are getting anxious to know the names of my old and loyal friends referred to, I will give them to you as follows:

"The first named was Maj. George Ringgold, United States Army, and the second, Gen. Charles Doane, major general of the militia of California. This letter I immediately took to the Secretary of War (Cameron), who, properly impressed with its importance, immediately ushered me with the letter into the presence of President Lincoln, to whom I read the letter, and the following conversation rapidly ensued between us. Thus, Mr. Lincoln to me: 'General, do you vouch for the statement these gentlemen make?' 'I do most emphatically; I know them intimately; they are both reliable and chivalrous' 'the salt of the earth.'"

"To Secretary Cameron: 'General, who is there near at hand whom we can trust to send out to California? Sumner is in New York, can we send him? If we can not we have none who can be trusted. Telegraph Sumner to report here to-morrow.' Lincoln to me: 'General, when does the next steamer sail?' 'Day after to-morrow.' Sumner did report, and did sail on the following Wednesday under sealed orders 'to be opened as soon as you enter the Golden Gate,' and when he arrived and was entering the Golden Gate he opened these orders and read: 'Land at the first wharf and proceed with all haste to the headquarters of the Army and assume command of the Pacific Department United States Army, and relieving Col. A. Sidney Johnston.' Sumner landed at the Presidio and was in command before the steamer reached her wharf at the foot of Clay street.

"Now, this noble deed of George H. Ringgold, colonel in the Army, your husband, saved the secession of the Pacific States with all that that implied and which no man can compute, and I only wish the committee having your petition in charge would summon me before them that I might render homage to one who was true as steel and ready to make every and all sacrifice to duty and right.

"I am, sincerely and truly, dear madam, your friend,

"W. C. KIBBE.

"Mrs. MARY C. RINGGOLD."

Colonel Ringgold had a brother, Major Ringgold, killed at the battle of Palo Alto, and another brother served with distinguished bravery in the naval service during the civil war. A similar bill was introduced into the Senate and was favorably reported in 1886. The report in that case is hereto annexed, with several letters from his army friends testifying to the value of his military services attached.

Your committee believe that it is but just that the venerable widow of this meritorious officer, in her old age and in her dependent condition, should receive the increase of pension proposed to be given by this bill, especially in view of the peculiarly valuable services rendered by her late husband, and they would therefore recommend that the bill do pass, amended by striking out the word "mother" in the title and inserting the word "widow," and by striking out the word "mother" in the fourth line of the bill and inserting the word "widow."

An act granting an increase of pension to Mrs. Mary Condry Ringgold, widow of George H. Ringgold, late lieutenant colonel and deputy paymaster general, United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to increase to \$50 per month the pension of Mrs. Mary Condry Ringgold, widow of the late George H. Ringgold, lieutenant colonel and deputy paymaster general, United States Army, who died in San Francisco, Cal., April 4, 1864.

[Senate Report No. 301, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 516) granting an increase of pension to Mrs. Mary C. Ringgold, have examined the same and report:

The claimant is the widow of George H. Ringgold, late lieutenant colonel of the United States Army (certificate No. 59798). The following certificates and petition of the widow will show the character of his services:

WAR DEPARTMENT, PAYMASTER GENERAL'S OFFICE,  
Washington, D. C., December 17, 1884.

I had not the pleasure of a personal acquaintance with the late Lieut. Col. George H. Ringgold, deputy paymaster general. He was a graduate at West Point and served in the line of the Army for over three years; was appointed an additional paymaster in 1846, and in the regular service July 21, 1847, and was promoted deputy paymaster general with the rank of lieutenant colonel on the 28th May, 1862, and was chief paymaster Department of the Pacific from 1861 to April 4, 1864, the day of his death.

Lieutenant Colonel Ringgold had the reputation of an accomplished gentleman and faithful public officer.

WM. B. ROCHESTER,  
Paymaster General, United States Army.

I heartily concur in the above.

S. V. BENÉT,  
Brigadier General, Chief of Ordnance.

I knew Colonel Ringgold for many years. He was a faithful officer and a worthy gentleman. Great sympathy is due his family for their own sakes as well as for his valuable services to the United States.

E. D. TOWNSEND,  
Brigadier General, United States Army, Retired.

To whom it may concern:

It was my good fortune to know the late lamented Lieut. Col. George H. Ringgold, paymaster United States Army, for some years before his death, and on the California coast. He was an accomplished gentleman and a thorough man.

He was in San Francisco at the beginning of the late rebellion, and as a Marylander opposed secession in its entirety and in the particular. What with speeches and open activity he did much to dishearten the organization of the Knights of the Golden Circle, and in all this secured to himself much enmity from State's people and other Southern people with whom he had before been on terms of local as well as social brotherhood.

He had a large family, entertained hospitably, and died during the war, leaving nothing to them but his good name.

Of one of the best old families of our country they have left their lives and name written on our battlefields. Ringgold, of Palo Alto, Tex., was the colonel's brother, while the Tilghmans, Keys, and Hayes were all his relatives. The times have changed, and people who once could have come forward to the help of the family have passed away, and its support depends now on the efforts of his wife.

A grateful country could not act in a more worthy place than here in helping her to keep together a body of delicate and dependent children of him who was so true to his flag, when appeals like a litany were being made to every Southern gentleman.

JNO. HAMILTON,  
Colonel, Fifth Artillery.

Given at Fort Hamilton, N. Y., December 15, 1884.

Colonel Ringgold was an accomplished gentleman and served his country faithfully and well.

R. C. DRUM,  
Adjutant General, U. S. Army.

WASHINGTON, December 17, 1884.

Your petitioner, Mary C. Ringgold, whose post-office address is Washington, in the county of Washington and District of Columbia, respectfully represents that she is a pensioner under certificate No. 59798, at the rate of \$30 per month, as the widow of the late Lieut. Col. George H. Ringgold, deputy paymaster general, United States Army.

Referring to the many cases wherein additional pension has been granted by Congress, none of them more meritorious than hers, she respectfully prays for the passage of a special act increasing her pension to \$50 per month.

The services of Colonel Ringgold were especially valuable to the Government, and, as the expenses of living consumed all his pay, at his death his family was left destitute, and your petitioner has ever since been compelled to provide for herself and four children. She is now in declining years, and her two sons, whom she had hoped would be able to assist her, having both died, she finds herself compelled to ask that an increase of pension, which many have received for far less service, may be generously given for the brief period that remains.

She would also remind you that she belongs to a family whose members have all been faithful servants of the Government, and who have all passed away. She is the great grandchild of the renowned hero of Cowpens and Eutaw, and her family wealth was freely given during the Revolution to insure American success.

She asks attention to the papers accompanying this petition, and respectfully prays that the needed relief may be granted.

It appears that Mrs. Ringgold was left in destitute circumstances at her husband's death, with four young children to provide for. Her sons have died, and also a stepson, leaving her without any male relatives, but with an invalid sister and daughter to support, entirely dependent upon her. She is nearly sixty years of age and in poor health.

Your committee recommend the passage of the bill with an amendment as follows: Strike out the word "fifty," in line 7, and insert the word "forty" in lieu thereof.

WAR DEPARTMENT, PAYMASTER GENERAL'S OFFICE,  
September 19, 1890.

I cheerfully concur in the indorsement of General Rochester of December 17, 1884, relating to the service and reputation of the late Lieutenant Colonel Ringgold.

WM. SMITH,  
Paymaster General, United States Army.

TREASURY DEPARTMENT, REGISTER'S OFFICE,  
Washington, D. C., September 22, 1890.

DEAR MADAM: I have read Senate report 301, Forty-ninth Congress, first session, concerning the services of your late husband, Lieut. Col. George H. Ringgold.

I regret that I am unable to reproduce in detail the facts which came to my knowledge in the course of my correspondence with him and his friends and brother officers; but I remember they showed that his character and services were held in high esteem for very substantial reasons, and that his services were especially valuable on the Pacific coast at a time when the interests of the Government required such fidelity and intelligence as he displayed.

Sympathizing with you in the struggle you have had since his death and in the losses of your children and stepson, I sincerely hope Congress will increase your pension to \$50 per month, as you desire.

Very truly yours,

W. S. ROSECRANS.

Mrs. MARY C. RINGGOLD,  
Washington, D. C.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title of the bill was amended so as to read: "A bill to increase the pension of Mary Condry Ringgold, widow of George H. Ringgold, late lieutenant colonel and deputy paymaster general, United States Army."

Mr. KERR, of Iowa. Mr. Speaker, what is the amount provided for in that bill?

The SPEAKER *pro tempore*. Fifty dollars.

Mr. KERR, of Iowa. I do not know but what it is too late to make objection now.

JOSEPH C. FOSNOT.

The next bill considered on the Private Calendar was the bill (S. 3251) granting an increase of pension to Joseph C. Fosnot.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph C. Fosnot, late of Company A, Nineteenth Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of the pension he is now receiving.



The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3251) granting an increase of pension to Joseph C. Fosnot, submit the following report:

The facts in the case are set forth in the report of the Senate Committee on Pensions, which is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 3251) granting an increase of pension to Joseph C. Fosnot, have examined the same, and report:

"This is a bill to increase the pension of Joseph C. Fosnot from \$17 to \$40 per month. His disability was caused by a gunshot wound in left leg, which has gradually increased. The surgeon's last certificate says this leg is 1½ inches shorter than the right; that it is shrunken; that there is an outward bending of the bones, causing a marked deformity, making motion difficult, and that he constantly suffers great pain. The leg seems to be useless, and if it was amputated he would not be more helpless than he is now.

"In the opinion of the committee his disability is equivalent to the loss of a leg and he ought to have rating to correspond with such loss. This opinion is justified by the reports of the examining surgeons, and the increase would have been proper under the general laws.

"The bill is reported with an amendment, striking out 'forty' in the eighth line and inserting 'thirty,' and as amended it is reported favorably with a recommendation that it do pass."

Your committee likewise report favorably on the accompanying bill, and ask that it do pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ALLEN J. MAKER.

The next bill considered on the Private Calendar was the bill (H. R. 12741) to increase the pension of Allen J. Maker.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Allen J. Maker, late of Company I, Fourth Maine Infantry, from \$24 to \$40 per month, but this act shall not deprive the beneficiary of the right to apply for and have granted him an increase of pension under the general laws relating thereto.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12741) granting a pension to Allen J. Maker, submit the following report:

Your committee having examined the testimony in this case find that Maker is suffering from a desperate wound received in line of duty as set forth in the records of surgery of the late war as follows:

"Case 276.—Private Allen J. Maker, Company I, Fourth Maine, aged eighteen years, was wounded near Centerville, at the battle of Chantilly, September 1, 1862, and was taken to the regimental hospital, where Assistant Surgeon G. H. Martin, Fourth Maine, recorded his injury as a 'gunshot wound of the side and arm.'

"The wounded man was conveyed to Washington, and entered Epiphany Hospital on September 2. Dr. N. P. Monroe states, without describing the wound of the arm, that 'the ball passed through the left side between the ninth and tenth ribs, fracturing the latter, and lodged between the transverse processes of the third and fourth lumbar vertebrae, whence it was extracted, as I was informed, on the previous day.' Surgeon J. H. Brinton, United States Volunteers, saw the patient, and notes the entrance wound as in the eighth left intercostal space and the lodgment as between the apophyses of the second and third lumbar vertebrae and the ninth rib as fractured. The missile was placed in the Museum by Dr. Brinton.

"The missile is said to have lain subcutaneously, and as soon as a counter incision was made for its extraction fecal matter was discharged by this wound. From the anterior opening a number of bone splinters were extracted. A slight escape of fecal matter from this opening lasted for fourteen days. From the perineal anus in the loin a free discharge of feces persisted for nearly seven months. On September 5, a portion of sphacelated colon presented at the posterior orifice, and was removed with scissors by the ward surgeon. On September 10, a piece of omentum, '12 inches long and 2 inches wide' (sic), is said to have been removed. Notwithstanding the free suppuration from the wound in the arm and hypochondrium, the general condition of the patient was encouraging. He was sustained by a nourishing diet, with porter and tonic medicines.

"Late in October, Hospital Steward Stauch prepared, under Dr. Brinton's supervision, an excellent water-color drawing of the subject. This is preserved in the surgical series of drawings, A. M. M., as No. 15. A reduced copy of the drawing is presented in the accompanying woodcut (Fig. 59). On November 1 it is noted that the boy had a steady, hearty appetite and maintained tolerable health, and that the dejections had taken place by the natural channel on that day for the first time since the reception of the injury. The lad was preparing to go to his home. On November 21, though stercoraceous matter still escaped from the lumbar wound, the patient, at his own desire, was discharged from service by Surgeon James Bryan, United States Volunteers. The fecal fistula persisted until May, 1863, when the discharge from the wounds became seropurulent. A month afterward both wounds healed up soundly, and the patient went to his home in Belfast, Me. He was pensioned.

"On September 15, 1864, his condition was so satisfactory that his pension was reduced. He applied for an increase, and on August 27, 1870, Pension Examiner Charles N. Germaine, of Rockland, Me., made the following report in the case: 'A musket ball penetrated the lower third of the left arm, fracturing the humerus, as indicated by cicatrices and by irregularity of the surface of the bone. Arm weakened thereby, so that it is with difficulty he can raise more than 30 pounds. The natural dexterity of the arm is injured, and the hand weakened in its power of grasping. Disability one-half. Secondly, there exists a large depressed cicatrix on his left side, between the ninth and tenth ribs, where a musket ball entered; another large (2 by 4 inches) calloused cicatrix between the third and fourth lumbar vertebrae, where a ball was cut out.'

"In the wound of his side a false passage existed for three or four months after receiving the wound, from which the excrements of his body escaped. The seat of the wound is now subject to periodical attacks of soreness and pain. By reason of injury to the spine his back is weak and his side is slightly paralyzed. If he attempts to perform manual labor his back becomes so weak and lame that he can not stand erect; his side also becomes weak and painful, producing general exhaustion. If he inclines forward his back becomes painful and weak; his bowels are constipated, requiring the constant use of purgatives; he is reduced in general strength; loss of weight, 25 pounds. For this disability I rate him one-half; for both disabilities, total."

He is pensioned at \$24 per month, and his application for increase was rejected by the Pension Bureau on the ground that the evidence did not show that he was incapacitated from "performing manual labor." Dr. S. S. Stearns testifies by affidavit before this committee that in his opinion Maker "is unable to perform any manual labor" and that "his disability is equivalent to the loss of a leg and arm."

Your committee believe this a meritorious case, and recommend the passage of the bill after the same shall have been amended by striking out all after the word "to" in fifth line and inserting as follows: "\$40 per month, but this act shall not deprive the beneficiary of the right to apply for and have granted him an increase of pension under the general laws relating thereto."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

PETER ZIMMERMAN.

The next bill considered on the Private Calendar was the bill (S. 3680) granting a pension to Peter Zimmerman.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Zimmerman, late a private in Company H, Thirty-first Wisconsin Infantry, and pay him a pension at the rate of his present disability.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3680) granting a pension to Peter Zimmerman, submit the following report:

That they have carefully examined the papers in the case, and they fully believe that the facts in the case are correctly stated in the report of the Senate committee in this case, which is hereto annexed, and which they make a part hereof, and they therefore recommend that the bill do pass.

SENATE REPORT.

The Committee on Pensions, to whom was referred the bill (S. 3680) granting a pension to Peter Zimmerman, have examined the same, and report:

This is a bill to place the name of Peter Zimmerman on the pension roll. He served in Company H, Thirty-first Regiment Wisconsin Infantry, and was honorably discharged. He was pensioned for disease of eyes, first at the rate of \$6 a month, which was raised to \$14, \$24, and finally to \$50 a month. Finally charges were made that the disability for which he was pensioned existed before enlistment, and payment of pension was suspended December 23, 1887. Then the case was investigated by a special examiner, and on his report his name was dropped from the rolls upon the ground that the disease existed prior to service and that pension was obtained by irregular and fraudulent proceedings.

The soldier made application for restoration. The decision of the Commissioner was adverse, and on appeal was sustained by the Assistant Secretary of the Interior. Special examinations have been had in the case, and the effort to sustain the Department decisions has been extensive and successful to the end of keeping this man out of his pension.

The charge is made against him that he "suffered in some degree from 'myopia' prior to enlistment." "Myopia" is short-sightedness, and however defective he may have been in this respect he was pronounced sound after three or four examinations by the army surgeon, and was accepted.

Forty-five good soldiers, neighbors of this man, petition Congress to restore his pension. They say in their petition:

"He was examined by the United States surgeons, accepted, mustered in, and did all he could. He entirely lost the use of one eye and became partially blind in the other. The doctors now differ as to the cause or causes, and the Pension Office has decided that his pension of \$50 per month, heretofore granted, be discontinued. We protest.

"We say and we believe that the fact that he was accepted by the United States Government and sent to the front to do battle with his comrades as an able-bodied man is conclusive upon the Government that he was a well man, and that if he came out of that fiery ordeal broken in health and blind this great nation ought in honor to pension him, and not strain every nerve and employ agents by the legion to seek to prove that the poor, helpless soldier had the germs of disease when he enlisted."

The committee agree with these soldiers, and report the bill with an amendment, adding after the word "infantry," in the seventh line, the words "and pay him a pension at the rate of his present disability."

As thus amended the bill is reported favorably, with a recommendation that it do pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ORDER OF BUSINESS.

Mr. MORRILL. Mr. Speaker, I notice that quite a number of bills on the Calendar have been passed over. They are on page 69 of the Calendar.

Mr. McCREARY. I was about to make the same suggestion as has been made by the gentleman from Kansas. It seems we have passed over some bills that are on the Calendar.

Mr. MORRILL. Quite a number; some eight or ten of them.

The SPEAKER *pro tempore*. The Clerk will recur to the bills suggested by the gentleman as having been passed over.

Mr. MORRILL. On page 68 is the first one.

The SPEAKER *pro tempore*. On page 58 there is a bill which has been passed over, the bill (H. R. 10503) granting an increase of pension to Jeanie Brent Davenport.

Mr. WILLIAMS, of Ohio. Regular order.

MRS. S. J. RAYNER.

The SPEAKER *pro tempore*. The Clerk will report the following bill on page 66.

The Clerk read as follows:

A bill (H. R. 4483) granting an increase of pension to Mrs. S. J. Rayner.

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Mrs. S. J. Rayner, widow of Rev. James O. Rayner, late chaplain United States Army, from \$20 per month to \$50 per month, to take effect from and after the passage of this act.

Mr. CHEADLE. I would like to hear the report read or have an explanation of that bill.

The SPEAKER *pro tempore*. If the gentleman from Indiana will please take the chair, as the present occupant of the chair knows all about this bill, he would be very glad to make a statement in regard to it.



Mr. CHEADLE. I object to its consideration unless a quorum is present.

Mr. MORRILL. I ask unanimous consent that the bill be passed over, retaining its place on the Calendar.

The SPEAKER *pro tempore*. If there be no objection, the bill will be passed over, retaining its place on the Calendar.

Mr. CHEADLE. Mr. Speaker, I misunderstood what the Chair said.

Mr. WHEELER, of Alabama. I understand the gentleman from Indiana withdraws his objection.

The SPEAKER *pro tempore*. The gentleman from Indiana will please give his attention. Does the gentleman withdraw his objection?

Mr. CHEADLE. No, sir; I have not withdrawn my objection, but I said I would like to have a statement made about the case.

Mr. COOPER, of Indiana. The Chair said he would make a statement.

Mr. CHEADLE. Let the Chair call some other gentleman to the chair than myself and make a statement.

The SPEAKER *pro tempore*. If there is no objection, the bill will be passed over, retaining its place on the Calendar.

There was no objection.

AGNES FINDLEY HALSEY.

The next pension business on the Private Calendar was the bill (H. R. 4033) for the relief of Mrs. Agnes Findley Halsey, who served as nurse in the late war under the name of Miss Agnes Findley.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and directed to place upon the pension rolls the name of Mrs. Agnes Findley Halsey, who served as a trained nurse from March 14, 1862, to April 30, 1865, formerly of New York State, city of Troy, now of 105 F street, N. W., Washington, D. C.

The report (by Mr. TAYLOR, of Tennessee) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4033) for the relief of Mrs. Agnes Findley Halsey, who served as nurse in the late war under the name of Miss Agnes Findley, submit the following report:

The proposed beneficiary, according to the report of the Surgeon General United States Army, served as nurse in Columbian College General Hospital, Washington, D. C., from March 14, 1862, to April 30, 1865. During said service she was detailed to attend the sick and wounded at several fields of battle, including Antietam, Gettysburg, and Fredericksburg.

Hon. THOMAS E. MILLER, of this House, makes the following statement: "I have known Mrs. Agnes Findley Halsey, an applicant for pension, for many years. She is about sixty years of age, has no income; her husband is older. She has no sons, but has two single daughters, who also have no income other than that derived from their labor from day to day."

Over three years' faithful service and her dependent condition surely entitle Mrs. Halsey to the same favorable consideration as has been given so many others in like employment; therefore your committee return the accompanying bill with the recommendation that it do pass, amended, however, by striking out all after the words "sixty-five," in line seven, and adding thereafter the words "at the rate of \$12 per month."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARY S. DAY.

The next pension business on the Private Calendar was the bill (H. R. 12757) granting a pension to Mary S. Day.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Mary S. Day, former widow of Jesse Day, late of the Fifteenth Ohio Battery, on the pension roll, and pay her a pension at the rate of \$12 per month from and after the passage of this act.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12757) granting a pension to Mary S. Day, would respectfully report:

The claimant was married to Jesse Day January 26, 1847. He served in the late war and died from the effects of wounds at Savannah January 2, 1865. The applicant was pensioned as his widow under certificate No. 54216 from January 3, 1865, until October 12, 1873, when she married one William D. Stancliff. Stancliff utterly failed to provide for her support, and after a few years deserted her.

On petition filed by the claimant, on January 5, 1883, was duly divorced from her second husband by decree of the common pleas court of Cuyahoga County, Ohio. It appears from the testimony that the claimant is advanced in years, and is poor and wholly dependent upon her own labor and the charity of her friends for support.

Believing this to be a well-established case and of a meritorious class of claimants for special legislation, your committee recommend the passage of this bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ELIZABETH WOLCOTT.

The next pension business considered on the Private Calendar was the bill (H. R. 12645) to place upon the pension roll the name of Elizabeth Wolcott.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Wolcott, formerly Elizabeth Stoddard, widow of Jonathan Stoddard, late of Company F, Thirty-fifth Wisconsin Volunteers.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12645) to place upon the pension rolls the name of Elizabeth Wolcott, submit the following report:

Elizabeth Wolcott was the widow of Jonathan Stoddard, who served as private in Company F, Thirty-fifth Wisconsin Volunteers, and died, two months

after discharge, of chronic diarrhea contracted in said service. She was a pensioner on account of this soldier's death until December 1, 1870, when she married with one Edwin B. Wolcott, after which the soldier's children were pensioned until they respectively obtained the age of sixteen years.

Elizabeth Wolcott is again a widow. She has no property or income from any source, except that derived by her own labor. Her age and accompanying infirmities, however, greatly limit her ability to provide for her necessities in that way, and therefore she asks Congress to again place her on the pension rolls.

Hon. Mr. CLARK, of this House, is personally cognizant of the needy condition of this widow, as well as of her good moral character.

The case is identical with many others who have been favorably acted upon by Congress; therefore your committee return the accompanying bill with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

GENERAL W. J. LANDRAM.

The next pension business considered on the Private Calendar was the bill (H. R. 12402) for the benefit of General W. J. Landram.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of W. J. Landram, formerly colonel of the Nineteenth Regiment of Kentucky Volunteer Infantry, and afterwards promoted to the rank of brigadier general by brevet, and that he be granted a pension at the rate of \$50 per month during his natural life.

The report (by Mr. WILSON, of Kentucky) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12402) granting a pension to W. J. Landram, submit the following report:

W. J. Landram, of Lancaster, Garrard County, Kentucky, was appointed colonel of the First Regiment of Kentucky Cavalry July 15, 1861, and assisted in raising that regiment; afterwards he raised the Nineteenth Regiment of Kentucky Infantry, and was elected colonel thereof December 12, 1861; was brevetted brigadier general March 13, 1865.

At the battles of Chickasaw Bayou, Arkansas Post, Port Gibson, Champion Hills, Black River Bridge, and the siege of Vicksburg, he commanded the Second Brigade of the Tenth Division, Thirteenth Army Corps, composed of six regiments and the Chicago Mercantile Battery. At the siege of Jackson, under General Sherman, and at the battle of Sabine Cross Roads, under General Ransom, he commanded the Fourth Division of the Thirteenth Army Corps, composed of twelve regiments and two batteries of artillery.

Whilst in the service and in the line of duty at Alexandria, La., about April 25, 1864, he incurred dysentery resulting in hemorrhoids, from which he has since continuously suffered, and by which he is thought to be permanently disabled. He is financially very poor, with five persons in his family dependent upon him. He is sixty-two years of age. At the age of eighteen he enlisted and served in the First Regiment Kentucky Volunteer Cavalry, in the Mexican war, serving one year, and was honorably discharged.

From all the facts in the possession of the committee concerning the military services of Mr. Landram, the origin and extent of his disabilities, it is believed he should have more than the pension he might now receive under the general law.

Therefore the bill is reported back with the recommendation that it pass with an amendment substituting "J" for "I" in the fifth line, and adding after the last word the following: "In lieu of the pension he is now receiving." Amend title so as to read, "A bill for the benefit of General W. J. Landram."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOEL A. HOLDREN.

The next pension business considered on the Private Calendar was the bill (H. R. 11215) granting a pension to Joel A. Holdren.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place upon the pension roll the name of Joel A. Holdren, of Huntington County, Indiana, as the blind and dependent brother of Benjamin F. Holdren, deceased, late a private of Company K, in the Eighty-fourth Regiment of Indiana Volunteers, in the war of the rebellion, and pay him a pension at the rate of \$18 per month.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11215) granting a pension to Joel A. Holdren, submit the following report:

That the applicant herein was born blind May 11, 1855; that his mother died when he was a small boy, and his father died also some years ago, leaving affiant blind and without property except his clothing and a violin, with which he has endeavored to earn a living; that affiant had a brother, Benjamin F. Holdren, who enlisted in Company K, in the Eighty-fourth Regiment of Indiana Volunteers in the war for the Union, in which service and by reason thereof he died on the 10th day of July, 1864, leaving no widow nor children, but leaving surviving him his father, since dead, and three brothers, of whom applicant is one; that during said service said soldier contributed materially to the applicant's support by furnishing money to that end; that after said soldier's death the father drew the bounty and back pay due him, and applied part of said means to applicant's support; that applicant has received no support from his other two brothers, has no home or family, and is not able to support himself, nor have his said brothers means so to do; and that these facts are shown by the records of the Treasury Department, by affiant's own testimony on file herein, and by the testimony of a number of applicant's neighbors in and around the town of Andrews, Ind., where applicant mostly stays.

The committee therefore recommend the passage of the bill, amended, however, by striking out of line 9 the word "eighteen" and inserting the word "twelve."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

GEORGE W. WHITACRE.

The next business on the Private Calendar was the bill (H. R. 12902) to increase the pension of George Whitacre, of Huntington, Ind.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and hereby is, authorized and required to increase the pension of George W. Whitacre, of the city of Huntington, in the State of Indiana, late a private in Company F of the Forty-seventh Regiment of Indiana Volunteers, in the war of the rebellion, and to pay



him, in lieu of the pension he is now receiving, a pension at the rate of \$100 per month.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12902) granting a pension to George W. Whitacre, submit the following report: This applicant has been drawing a pension as follows, to wit: Since December 6, 1864, at \$8 per month; since June 6, 1866, at \$15 per month, and since March 3, 1883, at \$24 per month. The history of the case is shown by the evidence to be as follows, to wit:

The applicant was a farmer, and on December 3, 1861, at the age of about twenty years, he enlisted and was mustered into the service of the United States in the war of the rebellion as a private in Company F of the Forty-seventh Regiment of Indiana Volunteers, and was honorably discharged December 6, 1864, by reason of expiration of service.

His military history, however, shows, too, that while in the line of duty with his company and regiment and participating in the battle of Champion Hills, in the State of Mississippi, on May 16, 1863, he was severely wounded, as hereinafter described, by a gunshot fired by the enemy, for which he was treated in the field hospital; then in the hospitals at Memphis, Tenn., and St. Louis, Mo.; then admitted to the general hospital at Madison, Ind., on August 24, 1863, where he was treated for said wound, until he was transferred to Camp Chase September 7, 1863, and transferred March 2, 1864, to the invalid corps.

On January 11, 1865, the examining surgeon at Indianapolis made this report as to applicant's physical condition:

"The said George W. Whitacre is at present totally incapacitated for obtaining his subsistence by manual labor. \* \* \* The disability is of uncertain duration, permanent in part. \* \* \* Wounded at Champion Hill, Miss., in May, 1863. Ball entered on posterior surface of the right thigh below right nates, and, ranging forward, passed behind the femur and escaped on inside thigh and thence passed through right testicle, which it has entirely destroyed. The wound is now healed, but leg is weak and lame, the foot is tender, sensitive to cold and subject to numbness, which produces great inconvenience. The use of the limb in walking occasions pain in the foot."

On October 15, 1867, the examining surgeon reported:

"The shot passed through the hip (right side) injuring the sciatic nerve. There is great sensibility under certain conditions in the foot, rendering it useless. The ball also passed through both testicles, entirely destroying one of them and injuring the other, which is much atrophied and will eventually become useless. Erections are very imperfect."

The claimant, in his affidavit, testifies that the gunshot passed through both testicles, on his original application.

On September 9, 1873, the Fort Wayne, Ind., medical board reported:

"A musket ball carried away the testicles, with the exception of a small part of the right testicle. The disability is permanent."

On September 7, 1875, the examining surgeon reported:

"Applicant is 5 feet 10½ inches in height, and weighs 265 pounds. A musket ball entered at lower part of right nates near the insertions of the gluteal muscles, passed through the thigh and emerged at right of scrotum, carrying away both testicles. The disability is permanent. Should be exempt from further examination."

But on September 1, 1877, the same surgeon, Dr. B. S. Woodworth, of Fort Wayne, Ind., was caused to examine applicant again with same report of injury.

On June 20, 1883, the full Fort Wayne medical board report applicant's weight at 290 pounds, and after describing passage of the ball through the thigh, say:

"It emerged on interior edge of anterior surface just below Poupart's ligament. It then struck the scrotum and destroyed both testicles. There is no anchylosis of the hip, but claimant walks lame, due to pain in muscles. Claimant can not flex the foot upon the leg. The chief disability depends on the great obesity, which we think is due to loss of testicles. In his present obese condition he can not perform any manual labor."

On May 11, 1887, after applying for an increase, which was refused, the full Fort Wayne, Ind., medical board, composed of different physicians from the previous board, reported claimant's weight at 285 pounds, and then add:

"The general embopment of this claimant is abnormal in that it is excessive, supporting the popular idea that in subjects of castration, loss or want of functional exercise of the testicles, the adipose tissue generally preponderates. Just beneath the gluteal, femoral crease, right side, is seen a cicatrix an inch and a half long, being the point of entrance. The point of exit is just below. Poupart's ligament marked by a cicatrix an inch long, adherent, indrawn, from which site the ball passed directly through the scrotum. One testicle has entirely disappeared, by atrophy no doubt, and the other is practically gone, nothing but a mere remnant remaining. He is virtually testicleless."

"Over ankles, popliteal spaces, both legs and thighs we observe small varicose veins; legs are oedematous; rectum red, several white, warty, small condylomatous tumors suspend therefrom that are probably fatty. The scrotum is about a fourth of its wonted or natural size."

On June 11, 1890, on an application for increase rejected, the full Fort Wayne medical board, composed entirely of different physicians from those making the report last herein quoted, report as follows, to wit:

"Weight 325 pounds. \* \* \* A musket ball struck posterior aspect of right thigh between upper and lower gluteal fold, passed on inner side of thigh bone, emerging and passing directly through the right testicle, removing it entirely and severely injuring the left, so that it became entirely atrophied. Both testicles absent. Penis atrophied so that now it is about as large as that of a ten-year old boy. The feet and ankles are oedematous at this time—pit on pressure—outer aspect of both legs the surface veins are varicose. The heart is simply overworking. The organ is not large and strong enough to pump blood into all of his ponderous body."

"It is the opinion of the board that his present condition is due to his wound, and that if he were to exert himself to earn a living by manual labor he would not live a week. He certainly can not take care of himself. He is, in our opinion, entitled to a second-grade rating, etc."

It further appears from the testimony that the claimant's weight at enlistment was 180 pounds; that he is married, but has never had any children, and that he is compelled to be at the baths at Mount Clemens, Mich., where for about nine years last past he has been treated from two to four times a year, and in doing which he is at a great expense, amounting to more than the pension he now receives. It also appears that the claimant is a sober man.

From all the facts set out in the foregoing and considering the nature of claimant's wound, his sufferings, his age, and his present physical condition, presenting a very rare case, your committee feel that they ought to, and they do, recommend the passage of the bill, amended, however, in the title and in the fourth line by inserting between the surname and Christian name the initial "W." so as to make the bill one to pension "George W. Whitacre," instead of simply "George Whitacre," and also by reducing the amount of the bill from "one hundred" to "fifty."

The amendments recommended by the committee were agreed to.

Mr. MARTIN, of Indiana. Mr. Speaker, I ask leave to offer a further amendment.

Mr. KERR, of Iowa. Mr. Speaker, I have not heard any reports read this evening. Some of these bills provide for pensions four or five

times as large as are allowed under the general law, and I think the House ought to have some explanation of the reasons.

The amendment offered by Mr. MARTIN, of Indiana, was read, as follows:

Amend further by adding at the close of the bill the following words: "subject to the provisions and limitations of the pension law as to any future increase."

The SPEAKER *pro tempore*. Does the gentleman from Iowa [Mr. KERR] demand the reading of the report?

Mr. KERR, of Iowa. Let the report be read or let us have a statement.

Mr. MARTIN, of Indiana. The claimant in this case was a private soldier in Company F of the Forty-seventh Indiana Volunteers—

Mr. KERR of Iowa. Does your amendment propose to make the pension in this case subject to the provisions and limitations of the pension law?

Mr. MARTIN, of Indiana. Yes, but still to leave the amount at \$50 per month. This soldier was wounded at the battle of Champion Hill, in Mississippi. He was shot through the thigh and through the scrotum, so as to entirely emasculate him. From 180 pounds his weight has increased until to-day he is a burden to himself. He is bankrupt and in urgent need of the relief to which his case entitles him.

Mr. KERR, of Iowa. I do not ask for any further explanation.

The amendment of Mr. MARTIN, of Indiana, was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

GEORGE W. HAYNER.

The next business on the Private Calendar was the bill (H. R. 9430) to remove the charge of desertion against George W. Hayner.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion against George W. Hayner, late a private in Company F, One hundred and twenty-fifth New York Volunteer Infantry, and to issue to him an honorable discharge from such service, to date from the 4th day of October, 1862.

The report (by Mr. SNIDER) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 9430) to remove the charge of desertion against George W. Hayner, having considered the same, would respectfully report:

That said claimant enlisted August 14, 1862, in Company F, One hundred and twenty-fifth New York Volunteers. While felling timber and building roads in September, 1862, his shoulder was broken by a tree falling on him, and he was almost immediately thereafter captured, paroled, and sent to Camp Chase, awaiting exchange, owing to which his injury received but little attention, and after remaining a time at parol camp, his shoulder becoming worse, he went to his home without the formality of a discharge. After arriving at his home it was found his shoulder was broken and he was permanently disabled from doing military duty and the soldier made a cripple for life.

Your committee believe he should have the relief asked for, and recommend the passage of the bill.

The report from the War Department, giving the military history of such soldier, is submitted herewith for the information of the House, and your committee also attach as exhibits various affidavits setting forth the facts upon which this report is based.

*Case of George W. Hayner, late private, Company F, One hundred and twenty-fifth New York Volunteers.*

RECORD AND PENSION DIVISION, May 27, 1890.

George W. Hayner, private, Company F, One hundred and twenty-fifth New York Volunteers, was enrolled at Troy, N. Y., on August 14, 1862, to serve three years, and is reported on the company muster roll dated October 31, 1862, deserted October 4, 1862, at Camp Douglas, Chicago, Ill. The muster-out roll of company, dated June 5, 1865 (his name is dropped from all intervening rolls), and the regimental return for October, 1862, report him deserted October 24, 1862, at Chicago, Ill.

This entire regiment was captured by the enemy at Harper's Ferry, Va., on September 15, 1862, and sent to Camp Douglas, near Chicago, Ill.

Prisoners of war records show that this soldier's name appears on the list of absentees from Camp Douglas, Ill., dated November 17, 1862, as having deserted October 24, 1862. His capture or parol is not given. There is no further information on the said records.

The hospital records of this Department furnish no evidence of disability.

There is no record of his discharge or of his having returned to military control after October 4 (or 24), 1862, although his command remained in service until June 5, 1865.

The claimant, aged forty-six years, a resident of East Jordan, Charlevoix County, Michigan, under date of July 19, 1886, swears that he was injured while felling timber at Martinsburg, Va., on September 1, 1862, and could not use the ax or do anything with his right arm, but did not report to the surgeon; that he kept about until the middle of September, 1862, when he was taken prisoner at Harper's Ferry, Va., immediately paroled, and sent to Camp Instruction, where he remained only a few days and was sent to Chicago; that his arm and shoulder got so bad that, failing to get a furlough, he went home to New York with the intention of returning as soon as he should get well; that he continued to grow worse, and when he submitted to an examination it was found that his shoulder was broken down; that he was never able to return to his command.

On September 4, 1886, claimant's attorneys were informed that the physical inability of this man to perform the duties of a soldier at the date on which he absented himself from military control (October 4, 1862) must be established by satisfactory testimony, and his physical inability to return to his command or to place himself under military control from the above date to June 5, 1865, must be shown by the testimony of reliable parties having personal knowledge of the facts, including, if possible, his attending physician.

The following additional testimony was then submitted:

Washington Cottrell, aged sixty-seven years, residing at Poestenkill, Rensselaer County, New York, under date of January 30, 1888, swears that he has known the claimant ever since the latter was a small boy; that he knows that the claimant came home from the Army on or about October 1, 1862, very lame in his right shoulder—so lame that he was unable to do military duty from that time until 1865, when claimant moved to Michigan; that claimant has been here several times since, and his shoulder was still very lame.



Andrew Wagar, aged forty-seven years, a resident of Grafton, N. Y., under date of February 4, 1888, swears that he has known the claimant for thirty-five years, and that when he came home about the 1st of October, 1862, claimant was so lame in his right shoulder that affiant thinks it would have been impossible for him to have done military duty; that the said disability kept growing worse up to 1865, when the claimant moved to Michigan.

On May 11, 1888, claimant's attorneys were informed that the official record shows that this man deserted on or about October 4, 1862, at Chicago, Ill., and that thereafter he did not rejoin his command, though it remained in service until June 5, 1865, nor report his whereabouts or the cause of his absence to the proper United States military authorities; that the case is without merit, and the application for removal of the charge of desertion and for an honorable discharge must be denied.

On January 21, 1890, the Department, in a letter to the Hon. B. M. CUTCHER, M. C., in which the soldier's official record was quoted, informed that gentleman that there is no record that the soldier incurred any disability while in service or that he was in any way disabled when he left his command; that in August, 1886, application for an honorable discharge was made to this Department, the applicant claiming to have been prevented from completing his term of enlistment by reason of an injury received in service; but as the only corroborative testimony presented was that of two neighbors, it was decided that such testimony is insufficient to warrant favorable action; that if, however, the testimony of former officers or comrades to the effect that he was injured in the line of duty, and that of his attending physician or other reliable parties that he was prevented from completing his term of enlistment by reason of such injury be presented, the case will be further considered.

The status of the case has not been changed by the introduction of additional testimony.

Respectfully submitted.

F. C. AINSWORTH,  
Captain and Assistant Surgeon, United States Army.

The SECRETARY OF WAR.

EAST JORDAN, CHARLEVOIX COUNTY, MICHIGAN, January 8, 1890.

A statement of George W. Hayner, who enlisted in Company F, One hundred and twenty-fifth Regiment New York Volunteers. Have forgotten the date of enlistment, but was some time in August, 1862. Was enlisted in Troy, N. Y.; was sent from Troy to Martinsburgh, Va.; was injured at Martinsburgh while felling timber for breastworks; was struck on right shoulder by a falling tree, which made my right shoulder and arm so lame that I could not use it.

This was the first part of September, 1862; stayed there a few days after I was hurt, then was ordered to go to Harper's Ferry; that is, my regiment, together with the rest of the command, was taken prisoners at Harper's Ferry about the middle of September, 1862, together with about eleven thousand; was immediately paroled by regiments and sent to Camp Instruction, Md.; stayed there a few days and were sent to Camp Douglass, Chicago. At first I did not think my shoulder was hurt so bad, but it kept getting worse; I could not handle my gun with my right arm. I tried to get a furlough, but could not, and about the 4th of October went home to Troy, N. Y., expecting to return when exchanged or my arm got better; but my arm never got better, and when I had it examined it was found that my shoulder was broken. I had great pain in it while the nerve perished; for six years I could not sleep without lying on my left side and holding my right arm; but after my shoulder perished and healed I did not have so much pain. It formed a pipe in the arm pit, and matter discharged for nearly two years.

I have the use of my arm from the elbow down, but is some smaller than the other; my shoulder is very small, and no use of the shoulder joint. I stayed in New York State the most of the time till the spring of 1865; then moved to Kalamazoo, and my home has been in Michigan ever since. I never have been able to perform the duties of a soldier since I got hurt at the time aforesaid, and I was in the line of duty at the time. The above is a true statement. My attending doctor, after I came home from the Army, was Dr. Barber, of Rensselaer County, New York, but he is dead and I can not get his statement; then when I came to Michigan I doctored with Dr. Cranmer, of Kalamazoo, and he is also dead.

GEORGE W. HAYNER.

Witness:

L. C. MADISON.

Subscribed and sworn to before me this 7th day of January, A. D. 1890.

SAMUEL McCALMON,  
Justice of the Peace.

STATE OF MICHIGAN, County of Charlevoix, ss:

I, William E. Heasley, deputy clerk of said county of Charlevoix, of the circuit court therein, being a court of record, having a seal, do hereby certify that Samuel McCalm, whose name is subscribed to the annexed affidavit, and therein written, was, at the time of taking such affidavit, a justice of the peace in and for said county, duly elected and qualified, and duly authorized by law to take the same; and, further, that I am well acquainted with the handwriting of such Samuel McCalm, and verily believe that the signature to the said affidavit is genuine, and, as such, entitled to full faith and credit.

In testimony whereof I have hereunto set my hand and affixed the seal of said circuit court, at Boyne City, this 8th day of January, A. D. 1890.

[SEAL.]

WILLIAM E. HEASLEY,  
Deputy Clerk.

STATE OF NEW YORK, County of Rensselaer, ss:

In the matter of the claim for discharge of George W. Hayner, late a private in Company F, One hundred and twenty-fifth Regiment New York Volunteers.

Personally came before me, a justice of the peace in and for said county and State, Adam H. Feathers, late second sergeant in Company B, One hundred and twenty-fifth Regiment New York Volunteers, whom I hereby certify is a credible person, who, being duly sworn, deposes and says in relation to the said claim: That on or about September 1, 1862, the said George W. Hayner, while a private in Company F, One hundred and twenty-fifth Regiment New York Volunteers, and in the line of duty as such, was felling timber by the order of his commanding officer, near Martinsburgh, State of Virginia; that while so engaged the said George W. Hayner was hit on the shoulder by a falling tree, which made his shoulder and arm so lame that he could not use the ax, and did not have but little use of his shoulder and arm from that time till about the 1st of October, 1862, after which time I became separated from him, the said George W. Hayner.

A short time after the said George W. Hayner was injured as aforesaid, the said George W. Hayner and deponent were taken prisoners by the enemy and paroled and sent to Camp Instruction, Maryland; stayed there a short time; taken from there to Camp Douglas, Illinois. I was with the said George W. Hayner most of the time he was injured till the 1st of October, 1862; I was present at the time aforesaid and saw the occurrence as above stated, and I should say that the said George W. Hayner was not able to do any duty from the time he got hurt till the 1st of October, 1862. My age is fifty-six years. My post office address is East Poestenkill, Rensselaer County, New York, and I have no interest in the above claim.

ADAM H. FEATHERS,

Sworn and subscribed before me the 19th day of February, 1890, and I certify that the above affiant was fully made known of the contents of the above affidavit before swearing; that he is a credible person and entitled to belief, and that I have no interest in the prosecution of this claim.

G. BARBER,  
Justice of the Peace.

STATE OF NEW YORK,

City of Troy, Rensselaer County, Clerk's Office, ss:

I, Daniel E. Conway, clerk of said county, and also clerk of the supreme and county courts, being courts of record held therein, do hereby certify that G. Barber, whose name is subscribed to the annexed jurat, was, at the time of signing the same, a justice of the peace in and for said county, duly commissioned and sworn, and authorized to administer oaths; that I am well acquainted with his handwriting, and verily believe that the signature to the said jurat is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of said county, this 3d day of March, A. D. 1890.

[SEAL.]

D. E. CONWAY, Clerk.

STATE OF NEW YORK, County of Rensselaer, ss:

In the matter of the claim for discharge of George W. Hayner, late a private in Company F, One hundred and twenty-fifth New York Volunteers.

Personally came before me, a notary public in and for said county and State, George Cipperly, late a private in Company I, One hundred and twenty-fifth Regiment, New York Volunteers, who I hereby certify is a credible person, who, being duly sworn, deposes and says, in relation to the said claim, that on or about September 1, 1862, the said George W. Hayner, while a private in Company F, One hundred and twenty-fifth Regiment, New York Volunteers, and in the line of his duty as such was felling timber by the order of his commanding officer, near Martinsburgh, State of Virginia; that while so engaged as aforesaid said George W. Hayner was injured by a tree falling upon him, injuring his right shoulder and rendering it useless from that time until the 4th day of October following, after which time I became separated from him.

A short time after the said George W. Hayner was injured as aforesaid said Hayner and deponent were taken prisoners by the enemy and retained as prisoners for a time, and then paroled and sent to Camp Douglas, in the State of Illinois. I was with the said Hayner during all of the time between the day he was injured as aforesaid until the 4th day of October, 1862. I was present when the tree fell upon said Hayner as aforesaid, and know that he was injured so as to render him wholly unable to perform military duty any of the time.

I further declare that I am fifty-nine years of age, that my post-office address is West Troy, Albany County, New York, and that I have no interest, direct or indirect, in the above claim.

GEORGE (his x mark) CIPPERLY.

Witnesses:

STEPHEN SIMMONS,  
ANSON WAGNER.

Sworn and subscribed before me this 14th day of February, 1890, by the above-named affiant, and I certify that I read the foregoing affidavit to said affiant and acquainted him with its contents before he executed the same.

I further certify that I am in no manner interested in said claim, nor am I concerned in the prosecution thereof.

J. E. HOAG,  
Notary Public, Rensselaer County, New York.

STATE OF NEW YORK,

City of Troy, Rensselaer County, Clerk's Office, ss:

I, Daniel E. Conway, clerk of said county, and also clerk of the supreme and county courts, being courts of record held therein, do hereby certify that J. E. Hoag, whose name is subscribed to the annexed jurat, was at the time of signing the same a notary public in and for said county, duly commissioned and sworn, and authorized to administer oaths; that I am well acquainted with the handwriting of the said notary, and verily believe that the signature to the said jurat is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of said county this 14th day of February, A. D. 1890.

[SEAL.]

D. E. CONWAY, Clerk.

STATE OF NEW YORK, County of Rensselaer:

The claim for discharge of George W. Hayner, late a private in Company F of the One hundred and twenty-fifth Regiment of New York Volunteers.

Personally came before me, a notary public in and for said county and State, Ezra Siperley, late private in Company F of One hundred and twenty-fifth Regiment New York Volunteers (who I hereby certify is a credible person and entitled to belief), who, being duly sworn, deposes and says, in relation to said claim, that on or about September 1st, 1862, the said George W. Hayner, while felling timber near Martinsburgh, Va., by the order of his commanding officer, was hit by a falling tree, and his arm was hurt so he could not do duty nor drill.

We went from Martinsburgh, Va., to Harper's Ferry, and was taken prisoner and paroled. Went to Camp Instruction, Maryland, and from there to Camp Douglas, State of Illinois, and was with the said George W. Hayner till about the 1st of October, 1862, and his shoulder and arm kept getting worse till the above date, at which time the said George W. Hayner left the command. I was with the said George W. Hayner at the time he got hurt and saw the occurrence. And this affiant further swears that he has no interest in this claim nor in its prosecution.

Subscribed and sworn to this 26th day of February, 1890.

EZRA (his x mark) SIPERLEY.

ROXINA R. REYNOLDS,  
CORA JONES.

And I certify that the contents of this affidavit was read to and fully made plain to this affiant before the execution of the same, and I certify that I have no interest in this claim.

[SEAL.]

ROBT. REYNOLDS, Notary Public.

STATE OF NEW YORK,

City of Troy, Rensselaer County Clerk's Office, ss:

I, Daniel E. Conway, clerk of said county and also clerk of the supreme and county courts, being courts of record held therein, do hereby certify that Robt. Reynolds, whose name is subscribed to the annexed jurat, was at the time of signing the same a notary public in and for said county, duly commissioned and sworn, and authorized to administer oaths; that I am well acquainted with the handwriting of the said notary, and verily believe that the signature to the said jurat is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of said county this 3d day of March, A. D. 1890.

[SEAL.]

D. E. CONWAY, Clerk.



## STATE OF NEW YORK, County of Rensselaer, ss:

In the matter of the claim for discharge of George W. Hayner, late a private in Company F, One hundred and twenty-fifth New York Volunteers.

Personally came before me, a deputy clerk, superior court, in and for said county and State, William Cropsey, late a private in Company F, One hundred and twenty-fifth New York Volunteers (who I hereby certify is a respectable and credible person), who, being duly sworn, deposes and says, in relation to the aforesaid claim, that on or about the 1st day of September, A. D. 1862, the said George W. Hayner, while felling timber to build breastworks, by the order of his commanding officer, near Martinsburgh, State of Virginia, was injured by a tree falling upon him, which injury was to his right shoulder, and rendered it useless from that time until about the 24th of October following, when I, the said deponent, became separated from the said George W. Hayner.

Shortly after he received the above injury, that is, on or about the 15th day of September, 1862, this deponent and George W. Hayner was taken prisoners by the enemy and kept prisoners for a short time and then paroled and sent to Camp Douglas, State of Illinois. I was with the said claimant during all the period between the said 1st day of September, 1862, to the 4th day of October following. I was also present and saw the tree fall upon him, and knew that he was injured so as to render him useless to perform military duty any of the time.

I further declare that I am forty-seven years of age. My post-office address is East Poestenkill, State of New York, and that I have no interest in the above claim.

WILLIAM CROPEY.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read the foregoing affidavit to said affiant and acquainted him with its contents before he executed the same.

I further certify that I am in nowise interested in said claim, nor am I concerned in its prosecution.

Witness my hand and seal this 14th day of February, 1890.

[SEAL.]

C. E. GREENMAN,  
Deputy Clerk Superior Court.

## STATE OF NEW YORK, County of New York:

In the matter of the application of George W. Hayner, a private in Company F, One hundred and twenty-fifth Regiment New York State Volunteers.

Personally came before me, a notary public in and for county and State aforesaid, Thomas W. Cottrell, aged forty years, a citizen of the city of New York, in the State of New York, well known to me, reputable, and entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case as follows:

That he has been well and personally acquainted with the said George W. Hayner for at least thirty years; that in the month of October, 1862, I was residing in the town of Poestenkill, Rensselaer County, and State of New York; that during the said month the said George W. Hayner returned from the Army to the said town of Poestenkill, and thereafter remained with his family, who resided about 80 rods from my place. I saw him frequently from that time until the spring of 1865. The physical condition of the said George W. Hayner at the time he returned to his home, as aforesaid, in October, 1862, and the history of the same from that time until the spring of 1865, as within my personal knowledge, is as follows:

When the said George W. Hayner returned his right shoulder was very lame, the cause of which, as told me by Mr. Hayner at the time, was an injury received by a falling tree, while in the line of duty, near Martinsburgh, Va. It was impossible for him to raise his arm, and was practically useless; he could only use it by the use of his other hand. He complained of great pain in the shoulder at the time, and his general condition was considerably affected thereby. The said shoulder continued to grow worse after his return, and the muscles began to wither up and apparently waste away. I saw the shoulder stripped on different occasions, and was present at one time, I think it was about six months after he returned home, or some time in the early part of the year 1863, when Dr. Barber, his attending physician, who then resided in the said town of Poestenkill, examined said shoulder and treated the same.

At that time the shoulder was discharging pus from the armpit. I understood from the physician at that time that the shoulder was broken down, and the wasting away of muscles and the discharge of the pus was caused thereby, and, owing to the length of time that had elapsed since the injury, the physician expressed the opinion at the time that a permanent relief could not be effected. I saw Mr. Hayner frequently after this for the next two years. The condition of his shoulder did not improve, but, to the contrary, continued to wither up and perish away. The arm remained useless during all this time.

The Dr. Barber that I referred to died several years ago at the said town of Poestenkill; the exact date of his death I do not remember. I further declare that I have no interest in the matter of granting of said discharge, and am not concerned in its procurement.

THOMAS W. COTTRELL.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read the said affidavit to the said affiant and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in the matter of said application, nor am I concerned in its prosecution, and that said affiant is personally known to me; that he is a credible person, and so reputed in the community in which he resides.

Witness my hand and seal this 15th day of July, 1890.

[SEAL.]

GEORGE MCKIBBIN,  
Notary Public, Kings County, certificate filed in New York County.

## STATE OF NEW YORK, City and County of New York, ss:

I, Edward F. Reilly, clerk of the county, city, and State of New York, and also clerk of the supreme court for the said city and county, being a court of record, do hereby certify that George McKibbin has filed in the clerk's office of the county of New York a certified copy of his appointment as notary public for the county of Kings, with his autograph signature, and was, at the time of taking the annexed deposition, duly authorized to take the same, and that I am well acquainted with the handwriting of said notary public, and verily believe that the signature to the annexed certificate is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court and county the 17th day of July, 1890.

[SEAL.]

EDWARD F. REILLY, Clerk.

I certify that —, esq., who has signed his name to the foregoing declaration and affidavit, was at the time of so doing notary public in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine. Witness my hand and seal of office this — day of —, 1890.

Clerk of the — Court.

## STATE OF NEW YORK, County of Rensselaer, ss:

In the matter of the application of George W. Hayner, a private in Company F, One hundred and twenty-fifth Regiment New York State Volunteers.

Personally came before me, a special deputy clerk supreme court, in and for the county aforesaid, Andrew Wagar, aged forty-nine years, a citizen of the

township of Grafton, in the county aforesaid, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to the aforesaid application for an honorable discharge, as follows:

That he has been well and personally acquainted with the said George W. Hayner for at least thirty-five years; that he was acquainted with the said Hayner when he enlisted in the Army in the year of 1862. I resided about 1 mile from the home of the said Hayner. In the fall of the same year, I think it was in the month of October, Mr. Hayner returned from the Army to his said home, which is located in the town of Poestenkill, and I lived within 1 mile of him from then until the spring of 1865, during which time I saw him frequently.

At the time Mr. Hayner returned home as aforesaid his right shoulder was injured very seriously and was so lame as to be useless. I saw the shoulder afterwards. It was withering up and wasting away. I know that Doctor Barber, of Poestenkill, treated said shoulder, and that said doctor is dead. I saw the shoulder on different occasions from the time of Mr. Hayner's return until the spring of 1865, and its condition grew worse, and at no time was its condition such that he had use of his arm. I further declare that I have no interest in the granting of said discharge, and am not concerned in its procurement.

ANDREW WAGAR.

## RENSSELAER COUNTY, Clerk's Office, ss:

Subscribed and sworn to before me this 23d day of July, 1890.

[SEAL.]

THOMAS GALVIN,  
Special Deputy Clerk Supreme Court.

## STATE OF NEW YORK, County of Rensselaer, ss:

In the matter of the claim for a discharge of George W. Hayner, late a private in Company F, One hundred and twenty-fifth New York Volunteers.

Personally came before me, a justice of the peace in and for the aforesaid county and State, John B. Durkee, a resident of the town of Grafton in said county and State, whom I certify is a creditable person and is entitled to belief, who, being sworn, declares that he is well acquainted with the said George W. Hayner for at least forty-five years and remembers when he enlisted, also his coming home from the Army in the fall of 1862, and knew that he was lame in the right shoulder and arm at that time; and I should think it would have been impossible for him to have performed manual labor, and I should think it impossible to perform military duty from the above date until the spring 1865, at which time the said George W. Hayner moved, as he told me, to the State of Michigan.

I further declare that my age is sixty-four years, and that I am not interested in the prosecution of the said claim in any manner whatever; and my knowledge of the facts are derived from being acquainted with the said claimant during the above period.

JOHN B. DURKEE.

Subscribed and sworn to before me this day by the above-named affiant, and I certify that I read the foregoing affidavit to the affiant and acquainted him with the contents of the within affidavit.

Witness my hand this the 27th day of February, 1890.

HARPER BROWN,  
Justice of the Peace.

## STATE OF NEW YORK,

City of Troy, Rensselaer County, Clerk's Office, ss:

I, Daniel E. Conway, clerk of said county, and also clerk of the supreme and county courts, being courts of record held therein, do hereby certify that Harper Brown, whose name is subscribed to the annexed jurat, was at the time of signing the same a justice of the peace in and for said county, duly commissioned and sworn and authorized to administer oaths; that I am well acquainted with his handwriting, and verily believe that the signature to the said jurat is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of said county this 3d day of March, A. D. 1890.

[SEAL.]

D. E. CONWAY, Clerk.

## STATE OF NEW YORK, Rensselaer County, ss:

In the claim of George W. Hayner, to obtain a discharge, who was late a member of Company F, One hundred and twenty-fifth Regiment New York Volunteers.

Personally appeared before me, a — in and for said county and State, Mr. Harvey Mason, a resident of the town of Grafton, in said county and State, whose age is eighty-three years, whom I certify to be a credible person and entitled to belief, and being duly sworn deposes and says: I am well and intimately acquainted with above-named George W. Hayner, and have been from his childhood. Said Hayner, at the time of his enlistment, went from my immediate neighborhood, which took place, I think, in August, 1862.

On or about the 1st of October, 1862, said Hayner came home from the Army, in my neighborhood, with what clearly appeared to be a very bad injury in his right shoulder and arm. Said Hayner remained at his home, residing near me nearly all the time, for three years following his coming home from the Army, where I saw him very frequently, and I know that said Hayner was so disabled and injured as to render him really unfit to do manual labor. Said Hayner always claimed to have received his injuries by the falling of a tree while he was in the line of duty in the Army.

HARVEY MASON.

This affiant further states that he has no interest in this claim or in its prosecution.

Subscribed and sworn to before me this the 27th day of February, 1890.

[SEAL.]

HARPER BROWN,

Justice of the Peace.

## STATE OF NEW YORK,

City of Troy, Rensselaer County Clerk's Office, ss:

I, Daniel E. Conway, clerk of said county, and also clerk of the supreme and county courts, being courts of record held therein, do hereby certify that Harper Brown, whose name is subscribed to the annexed jurat, was, at the time of signing the same, a justice of the peace in and for said county, duly commissioned and sworn and authorized to administer oaths; that I am well acquainted with his handwriting, and verily believe that the signature to the said jurat is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of said county this 3d day of March, A. D. 1890.

[SEAL.]

D. E. CONWAY, Clerk.

## STATE OF NEW YORK,

County of New York, ss:

In the matter of the claim for a discharge of George W. Hayner, late a private in Company F, One hundred and Twenty-fifth New York Volunteer Infantry.

Personally came before me, a notary public in and for the aforesaid county and State, Thomas W. Cottrell, a resident of the city of New York, whose post-office address is New York City (who I hereby certify is a respectable and credible person), who, being sworn, declares, in relation to the above claim, that he is well acquainted with the above-named George W. Hayner for the past thirty-eight years, and knows him, and remembers the time when he enlisted, also his coming home from the Army, on or about the 1st of October,



1862, and know that he was lame in the right shoulder and arm at that time, caused, as he told me, by being injured felling timber for breastworks in the Army.

I would not consider him able to perform manual labor, and I should think it impossible for him to perform military duty or put himself under military control from the above date until the spring of 1865, at which time the said George W. Hayner moved to Michigan. I further declare that my age is forty-four years, and that I am not interested in the prosecution of the said claim, neither directly or indirectly, and my knowledge of the above facts are derived from an intimate acquaintance with the said claimant during the period above mentioned.

T. W. COTTRELL.

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read the foregoing affidavit to said affiant and acquainted him with its contents before he subscribed the same.

I further certify that I am in nowise interested in said claim, nor am I concerned in its prosecution.

Witness my hand and seal this 10th day of March, A. D. 1890.

[SEAL.]

GEORGE MCKIBBIN,

Notary Public, Kings County, certificate filed in New York County.

STATE OF NEW YORK, City and County of New York, ss:

I, Edward F. Reilly, clerk of the city and county of New York, and also clerk of the supreme court for the said city and county, being a court of record, do hereby certify that George McKibbin has filed in the clerk's office of the county of New York a certified copy of his appointment as notary public for the county of Kings, with his autograph signature, and was, at the time of taking the annexed deposition, duly authorized to take the same, and that I am well acquainted with the handwriting of said notary public, and verily believe that the signature to the annexed certificate is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court and county the 10th day of March, 1890.

[SEAL.]

EDWARD F. REILLY, Clerk.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

CAROLINE A. BURGHARDT.

The next pension bill on the Private Calendar was a bill (H. R. 13295) granting a pension to Caroline A. Burghardt, an army nurse.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Caroline A. Burghardt, an army nurse, upon the pension rolls, and pay her at the rate of \$12 per month from and after the passage of this act.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13295) granting a pension to Caroline A. Burghardt, submit the following report:

The subject of this report entered the service of the Government as army nurse June 9, 1861, and remained in such service until September, 1865, with an unbroken record of faithful and efficient service in the various hospitals. Abundant evidence of this service is furnished your committee, but only a small part is considered necessary in this report, and your committee present that only of Miss D. L. Dix, superintendent of women nurses during the war of the rebellion.

Your committee, believing this a very meritorious claim, recommend the passage of the bill.

#### TESTIMONY OF HOSPITAL SERVICES.

When an excellent work has been steadfastly conducted for months and years, certified evidence seems unnecessary, and is, under adopted usage, exceptional; but a record so fair and unbroken as that which embraces the labors of Miss Caroline A. Burghardt, of Massachusetts, especially claims honorable notice.

Her services as nurse in both fever and surgical wards of United States Army hospitals during the war of the rebellion commenced June 9, 1861, and ended 6th of September, 1865. During this period she was stationed severally in Washington, at Antietam, at Gettysburg, Fortress Monroe, Winchester, Wilmington, and Alexandria.

Her superior fidelity and skill required her assignment at the most difficult and responsible stations. Always prompt in the discharge of duty, exemplary in conduct, and competent through good judgment, she won the respect and confidence of surgeons, and the gratitude of patients.

Under Providence, hundreds owe lengthened life to her unflinching watchfulness, and bless her for mitigation of pain and anguish through patient cares and cheerful words.

This testimony is given under full personal knowledge of services above related.

D. L. DIX (free service).

Superintendent of Women Nurses during the war of the rebellion.

(Under acceptance and appointment of the Secretary of War, confirmed by the President of the United States.)

A true copy.

E. E. ROBINSON.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARGARET HITT.

The next business on the Private Calendar was a bill (H. R. 12051) for the relief of Margaret Hitt, of Lincoln County, Missouri.

The bill was read, as follows:

*Be it enacted, etc.,* That the pension of Margaret Hitt, widow of John Hitt, deceased, who served as a private in Company D, Second Regiment of Ohio Volunteers, Mexican war, be increased to the sum of \$20 per month.

The report (by Mr. NORTON) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12051) granting an increase of pension to Margaret Hitt, have examined the same and report as follows:

The claimant is the widow of John Hitt, who served as a private in Company D, Second Regiment Ohio Volunteers, Mexican war, and she is now a pensioner at \$8 per month under the Mexican war service pension act of January 29, 1887.

She is now advanced in years, very poor, and in great need of the increase asked for. These facts are vouched for by the gentleman who introduced the bill in the House.

The passage of the bill is recommended.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

FLORENCE PETIGREW LITHGROW.

The next pension bill on the Private Calendar was the bill (H. R. 13298) granting a pension to Florence Petigrew Lithgrow, an army nurse.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Florence Petigrew Lithgrow, an army nurse, and pay to her a pension at the rate of \$12 per month, from and after the passage of this act.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13298) granting a pension to Florence Petigrew Lithgrow, submit the following report:

The claimant in this claim served continuously from November, 1862, until May, 1866, nearly four years, as a volunteer army nurse, by appointment of the Surgeon General. Abundant evidence is furnished your committee of her exceedingly meritorious services during all this time, and that she is now, and has been for many years, very poor and destitute.

Your committee, believing this a just measure, recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARTHA A. WOOD FURGESON.

The next business on the Private Calendar was the bill (H. R. 13297) granting a pension to Martha A. Wood Furgeson, an army nurse.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Martha A. Wood Furgeson, an army nurse, upon the pension rolls, and pay to her a pension at the rate of \$12 per month from and after the passage of this act.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13297) granting a pension to Martha A. Wood Furgeson, submit the following report:

The claimant in this case served as an army nurse by appointment of Miss Dix, superintendent of army nurses, and the Surgeon General United States Army, and served without intermission from July 2, 1862, until September 6, 1865, a service of more than three years, caring for the sick in hospitals and the wounded upon the battlefields.

She is now advanced in life, and with no one legally bound to her support, and is poor and destitute.

Your committee therefore recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

NANCY F. GLENN.

The next business on the Private Calendar was the bill (H. R. 11349) to grant a pension to Nancy F. Glenn.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and hereby is, authorized and directed to place upon the pension roll the name of Nancy F. Glenn, widow of Robert A. Glenn, who was a private in Capt. William C. Rall's company in the Fourth Regiment of Illinois Volunteers, which was commanded by Col. Samuel M. Thompson in the Black Hawk war, and pay her a pension at \$20 per month.

The report (by Mr. HILL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 11349) granting a pension to Nancy F. Glenn, have considered the same and report as follows:

The claimant's late husband, Robert A. Glenn, deceased, was a private in Capt. William C. Rall's company of Illinois Volunteers, and served from April 23, 1832, to May 28, 1832, in the Black Hawk war.

It is shown that the soldier died on the 14th of December, 1860, and that the claimant has never remarried; also that she is seventy years old and is dependent for her support upon her daily labor and upon the contributions of others not legally bound to support her. Her post-office address is Wichita, Kans.

Congress has in numerous instances granted pensions by special act to the widows of soldiers of the old Indian wars, and as the pension in this case is necessary to the comfortable support of the beneficiary your committee return the bill recommending its passage with an amendment to fix the rate of pension at \$12 per month.

Mr. GEST. Mr. Speaker, this is one of the old Black Hawk war cases. A number of these cases passed during the last Congress, and not one of them at less than \$20 a month. I do not know what particular reason the committee had for recommending in this case to reduce the amount from \$12 to \$20, but I move that the amendment be not agreed to.

The SPEAKER *pro tempore*. The question is on the amendment recommended by the committee, striking out "twenty" before the word "dollars," in line 9, and inserting "twelve."

The amendment was agreed to.

Mr. CHEADLE. What was the rank held by this man?

The SPEAKER *pro tempore*. A private in the Black Hawk war, the Chair is informed.

Mr. GEST. My motion was to pass the bill as originally introduced, at \$20 instead of \$12 per month.

The SPEAKER *pro tempore*. That was the question submitted by the Chair, and the amendment of the committee was adopted.

Mr. CHEADLE. I desire to ask the gentleman from Illinois a question.

Mr. GEST. Yes.

Mr. CHEADLE. How old is the claimant?

Mr. GEST. Seventy years old, and is entirely dependent.

Mr. CHEADLE. It seems to me that this House having pensioned a widow at \$50 a month could well afford to pension an old and dependent person like this at \$20 per month.



Mr. COOPER, of Ohio. Why should the widow of a soldier of the Black Hawk war be entitled to more pension than the widow of a soldier of the late war?

Mr. CHADLE. I do not see that there is any reason. They ought all to be put upon the same footing. But I say that the House has just passed a bill giving \$50 a month to one widow, and I do not see any ground for refusing to give \$20 to another.

Mr. GEST. I ask a vote upon my amendment.

The SPEAKER *pro tempore*. The question was on agreeing to the amendment proposed by the committee. Upon that question the vote was in favor of the amendment. If it had been otherwise the bill would have been before the House without amendment.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### MARTHA TENNERY.

The next business on the Private Calendar was the bill (H. R. 12009) to grant a pension to Martha Tenny, widow of James H. Tenny, of Captain Griffin's company, First Illinois, Black Hawk war.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls, subject to the provisions and limitations of the pension laws, the name of Martha Tenny, widow of James H. Tenny, deceased, late a private in Capt. Robert Griffin's company, First Illinois Militia, in the Black Hawk war.

The report (by Mr. HILL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12009) granting a pension to Martha Tenny, have considered the same and report as follows:

The claimant's late husband, James H. Tenny, was a private in Capt. Robert Griffin's company of Illinois Volunteers, and served from June 19, 1832, to August 15, 1832, in the Black Hawk war.

The claimant swears she is eighty years old and dependent upon her daily labor for support; also, that her husband (the soldier) died March 16, 1869. Her post-office address is Paris, Ill.

Margaret Sizemore and George R. Marrs, citizens of Paris, Ill., corroborate, under oath, the claimant's statements, and they add that she has the care of an insane son.

The passage of the bill is recommended, with an amendment to allow a pension at \$12 per month.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### ROBERT MOORE.

The next business on the Private Calendar was the bill (H. R. 12550) to grant a pension to Robert Moore, of Kirkwood, Ill.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll the name of Robert Moore, late a soldier in Alexander White's company of Mounted Volunteers in the Black Hawk war, and pay him a pension at the rate of \$20 per month.

The report (by Mr. HILL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12550) granting a pension to Robert Moore, submit the following report:

The claimant served under the name of Abraham Moore in Capt. Alexander White's company, of Illinois, in the Black Hawk war of 1832, and was paid for twenty-one days of mounted service. His identity was fully established in his bounty-land papers on file at the Pension Bureau.

It is shown by the sworn testimony of A. T. Nelson, M. D., and fourteen other citizens of Kirkwood, Ill., that the claimant is seventy-five years old, and that he and his aged wife are both in feeble health; also that their pecuniary circumstances are such that they need assistance.

The bill seems to be a meritorious one, and its passage is respectfully recommended.

Amend by striking out the word "twenty," in line 7, and inserting in lieu thereof the word "twelve."

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### JOSEPH MASON.

The next business on the Private Calendar was the bill (H. R. 12581) to increase the pension of Joseph Mason, of Dallas City, Ill.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and hereby is, authorized and directed to place upon the pension roll the name of Joseph Mason, who was a soldier in Company E of the Sixth United States Infantry, in the war with Mexico, and pay him a pension at the rate of \$30 per month in lieu of the pension now received by him.

The report (by Mr. HILL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12581) increasing the pension of Joseph Mason, have considered the same and report:

The claimant was a private in Company E, Sixth United States Infantry, and served seventeen months in the war with Mexico. He is now drawing the Mexican war service pension of \$8 per month.

Accompanying the claimant's petition for an increase of his pension is the testimony of Ovet Baldwin, Adam Eckhardt, and Dr. William Prescott, citizens of Hancock County, Illinois, setting forth that the claimant is nearly blind from chronic inflammation of the eyes, and that he is seventy-one years old, and a sufferer from debility and rheumatism to such an extent that he can do no manual labor. It is also shown that he is poor and needy.

The claimant's petition is signed by 84 citizens of Dallas City, Ill., praying that the relief asked for may be granted.

In view of the above-stated facts the passage of the bill is recommended, amended, however, by striking out the word "thirty," in line 7, and substituting in lieu thereof the word "twenty."

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### MRS. MARY JANE MALLORY.

The next business on the Private Calendar was the bill (H. R. 9576) to increase the pension of Mrs. Mary Jane Mallory.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Mrs. Mary Jane Mallory from \$12 to \$25 per month. She is the widow of a soldier of the war of 1812; she is eighty-two years of age and has been confined to her bed for five years, and is totally blind.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 9576) granting an increase of pension to Mrs. Mary Jane Mallory, have considered the same and report:

The claimant's late husband, Ichabod Mallory, was a private in Captains Bibb's and Morris's companies of Virginia volunteers, and served two hundred and one days in the war of 1812. He died May 13, 1866.

The widow is now a pensioner under the general pension laws at \$12 per month on account of her husband's said service.

The claimant is now totally blind, in needy circumstances, and has been confined to her bed for five years by paralysis. She is eighty-two years old, and asks the increase provided for by the bill in order that she may have a few more comforts during the few remaining days of her life. The facts are fully substantiated by the statements of Dr. George W. Schlosser, J. R. Gentry, president board of trustees, and other citizens of Orange County, Virginia.

The passage of the bill is recommended.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### HANNAH CUMMINS.

The next business on the Private Calendar was the bill (H. R. 3258) granting a pension to Hannah Cummins.

The bill is as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be directed to put on the pension roll the name of Hannah Cummins, widow of William Cummins, late a private in Captain Fordyce's company of Ohio troops in the war of 1812, at the rate of \$30 per month; same to be in lieu of pension now being paid to her.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3258) granting an increase of pension to Hannah Cummins, submit the following report:

The claimant is the widow of William Cummins, who served as a private in Captain Fordyce's company of Ohio Militia in the war of 1812, and she is now receiving, under the general law, a pension at the rate of \$12 per month on account of that service.

Governor James E. Campbell, of Ohio, writes that Mrs. Cummins has been a bedridden invalid for a great many years, and that the bill is one that calls for prompt action, as she is in great need of relief.

George W. Jack and Leon Hunter, citizens of Morrow, Ohio, testify that Mrs. Cummins is ninety-six years old, nearly blind, and in such a condition physically as to require constant care and attention. Aside from her pension of \$12 per month she has nothing, and she is dependent upon her married daughter and her husband for almost everything, and they are poor and needy themselves.

The passage of the bill is therefore recommended.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### ANDREW J. ELLIOTT.

The next business on the Private Calendar was the bill (S. 2586) granting a pension to Andrew J. Elliott.

The bill is as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Andrew J. Elliott, Mexican veteran, at the rate of \$30 a month, in lieu of the pension he is now receiving.

Mr. KERR, of Iowa. I would like to have a statement of the reasons for that pension.

Mr. COGSWELL. Let the report be read.

The report (by Mr. SMYER) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 2586) granting a pension to Andrew J. Elliott, have considered the same and report:

Said bill is accompanied by Senate Report No. 1577, first session, Fifty-first Congress.

Your committee adopt the same as their report and return the bill, recommending its passage.

[Senate Report No. 1577, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred to the bill (S. 2586) granting a pension to Andrew J. Elliott, have examined the same and report:

The beneficiary was a private in Captain Taylor's company, First United States Artillery, and served in the war with Mexico. His military record is verified and under the general law pensioning soldiers who served in the Mexican war he was allowed \$8 per month. He is now totally blind and quite lame. He depends upon charity and an allowance of \$2 a week from the poor fund of his county.

The bill gives him \$30 a month, and in view of the fact that he is blind, lame, without means, far advanced in years, the committee believe that his is a case which Congress may very properly relieve.

The bill is reported favorably, with a recommendation that it do pass.

The bill was ordered to a third reading, read the third time, and passed.

#### FRANK C. MYRICK.

The next business on the Private Calendar was the bill (S. 4016) granting a pension to Frank C. Myrick.

The bill is as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank C. Myrick, late a scout under General Sibley, at the rate of \$12 per month.



The report (by Mr. SMYSER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 4016) granting a pension to Frank C. Myrick, have considered the same and report as follows: Said bill is accompanied by Senate Report No. 1343, first session, Fifty-first Congress.

Your committee adopt the same as their report and return the bill, recommending its passage.

[Senate Report No. 1343, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill granting a pension to Frank C. Myrick, have examined the same and report as follows:

A statement of General Henry H. Sibley, given under oath, shows that he was in command of the United States forces in the field in the year 1862 raised to suppress the formidable outbreak of the Sioux Indians on the frontiers of Minnesota and Iowa, and in immediate command of the column that fought and defeated the savages at Wood Lake on the 23d of September, 1862; that Frank C. Myrick was by his order acting as a scout and was severely wounded in the foot by a musket ball during that engagement, which wound disabled him from further service.

General Sibley further states that he has read the affidavit of said Myrick and those accompanying it, and according to the best of his recollection and belief they contain a true and correct statement of the facts relating to the wounding of said Myrick while he was in the service of the military authorities.

There is submitted in addition to the statement of General Sibley—

1. The affidavit of Myrick himself, giving the particulars relating to his wound, and a statement of his present condition.

2. The statement of H. J. Seigneuret, who was brigade surgeon at the time of that engagement and performed the surgical operation made necessary by the wound of said Myrick.

3. The affidavit of Dr. Alfred Müller, assistant surgeon of the United States Army, in charge of the post hospital at Fort Ridgely, Minn., at the same date, where Myrick was sent for treatment.

4. The statement of I. V. D. Heard, who participated in the battle of Wood Lake, was a comrade of Myrick, and was present when the bullet was extracted from said wound.

5. Statement of William L. Quinn, who for twenty-five years has known Myrick and testifies to his condition.

6. Affidavit of Dr. Charles B. Harris, a physician and surgeon of Pembina, N. Dak. He testifies under oath that he has examined the said Myrick and that his capacity to perform manual labor is diminished by reason of said wound one-half.

The fact that Myrick was employed as a scout and not regularly enrolled in the military service prevents him from applying to the Pension Office for relief.

Your committee believe under the circumstances that Myrick is fairly entitled to receive a pension at the rate of \$12 per month, and they therefore recommend the passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

JOHN FARRELL.

The next business on the Private Calendar was the bill (S. 4045) granting a pension to John Farrell.

The bill is as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Farrell, late a private United States Marine Corps.

The report (by Mr. SMYSER) is as follows:

The Committee on Pensions, to whom was referred the bill S. 4045, have considered the same, and report:

Said bill is accompanied by Senate Report No. 1327, first session Fifty-first Congress, and your committee adopt the same as their report and return the bill, recommending its passage.

[Senate Report No. 1327, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the petition of John Farrell, praying for the passage of a law granting him a pension, have examined the same and report:

Your committee report an original bill to grant the desired pension.

John Farrell was a private in the United States Marine Corps from January, 1863, to April, 1861. He bases his claim to pension on ground of rupture of left side.

His claim, filed in 1885, was rejected by the Department March, 1888, because of no evidence of origin or existence in service of alleged disabilities, either of record or by other competent testimony.

The petitioner's statement, a letter of A. G. Whittemore, esq., a lawyer of Burlington, Vt., written by him while claim was pending before the Department, and a personal letter from Senator EDMUNDS to the chairman of the committee in regard to the petitioner and Mr. Whittemore, are attached hereto.

In view of the strong testimony as to the petitioner's personal character and worth, your committee accept his statement and report the accompanying bill favorably.

SENATE CHAMBER, Washington, March 12, 1890.

DEAR SENATOR: I inclose herewith a letter of one of my neighbors of the highest character, a regular practitioner at the bar and not a claim agent, on the subject of the application for pension pending before your committee of John Farrell.

The Pension Office thought the evidence of original injury was not sufficient, and perhaps under their rigorous rules it was not.

I have known the old man Farrell personally for twenty years or more and have absolute faith in the story he himself tells of the injury he received and its consequences.

Of course I do not want the committee to do anything that is not fully justified by the evidence and your regulations, but so far as my evidence is applicable in respect to the character, etc., of Farrell, I hope it may be received.

Very truly yours,

GEO. F. EDMUNDS.

Hon. C. K. DAVIS,  
Chairman Committee on Pensions, United States Senate.

BURLINGTON, VT., June 14, 1889.

DEAR SIR: The application of Mr. John Farrell (No. 10065, Navy) is on file, with such proof as it is possible for him to procure, on account of the death of other witnesses. Mr. Farrell is an old gentleman (seventy) and has no means at all and no friends or relatives to support him. He is compelled to labor what little he can and does his own cooking. Can not his case be reconsidered, if it is already decided, and favorable action be had therein? He drew all his papers himself to save expenses and his story as told in his own way can not fail to convince one of its entire truthfulness.

The witnesses went down with his vessel, the Congress. There are eight affidavits already on file. It is a hard case for him to go without a pension in his old age when he is justly entitled to it. It will be but a few years that he can enjoy it at most, if granted at once.

I hope it may be considered at once.

Respectfully,

A. G. WHITTEMORE,  
For Mr. Farrell.

HON. COMMISSIONER OF PENSIONS.

To the honorable United States Congress, now in session at Washington, in the District of Columbia:

The petition of John Farrell, of the city of Burlington, in the county of Chittenden, in the State of Vermont, respectfully represents that his application for pension has been refused by the Pension Department of the United States, and he therefore brings this his petition to Congress that justice may be done in his case.

His application for pension was rejected for want of proof, the witnesses in his case all being dead. The said petitioner begs to state his case in his own language, as follows:

In the year 1853 the United States declared war against Japan and called for men. I answered the call and enlisted on the 9th day of January, 1853, with Major Reynolds, of the Marine Corps, No. 91 Chatham street, New York. I served out that enlistment, part of the time in the ship Vincennes, commanded by Captain Ringgold, and part of the time on land, and finished my service under the enlistment in the famous Merrimac on her voyage to Europe. I returned home, was paid off, and honorably discharged on the 9th day of April, 1857.

I re-enlisted with Colonel Delaney, of Charlestown, near Boston, and served out my second enlistment on the land and on board the receiving ship Ohio, commanded by Captain Smith, who sleeps on the bottom in Port Monroe. Just a few days before this, my second enlistment, expired I met with a fall, and was ruptured in the left groin, and a few of my teeth were knocked out. This accident happened in the following way: Three sentinels were posted on the upper deck, one on the port, and one on the starboard gangway. I was posted on the head of the ship on the bowsprit. My walk was about 4 yards long and 2 feet wide, and raised quite a distance above the deck.

Alongside my walk there were barrels of sand and stone used to clean the decks with, a lot of deal, brooms "squengies," etc., with sharp handles turned upward. My walk was above all this. The night was very dark and stormy. A heavy squall came and blew me down among the barrels, and some of the handles of the brooms or "squengies" caught me in the groin. I attempted to enlist the third time and was rejected on account of the rupture. I left the ship one day before the bombardment of Fort Sumter.

As I was leaving the ship Ohio, Dr. Parker, of the ship, said to me, "Farrell, I am in a hurry to-day: call to-morrow and I will fix your pension for you." I told him I would, but the news arrived of the attack on Fort Sumter and all was uproar and war, and I never saw my captain or Drs. Johnson or Parker since.

My two honorable discharges are in the Pension Office at Washington, and the number of my pension application is 10065. The proof and full statement of my case of my injury received from the fall, and of the extent of my injury, is there on file also, and I beg to refer to the same.

I can not satisfy the Pension Department as to proof, as my witnesses are all dead, and I beg my pension of Congress. I am an old man, living entirely alone, doing my own housework and cooking, and sorely need help from the country I served so long.

I pray that justice may be granted me. If there is not a record of my rupture on the journals of the ship Ohio it is not my fault, and, as for my evidence, the Merrimac sunk the witnesses in the ship Congress in Port Monroe. There sleeps Captain Smith, as good a man as ever lived, and my evidence with him.

My rupture has always seriously interfered with my labor and at no time could I do a full day's work. I have always been obliged to wear a truss since the injury was received.

I trust that my case will be speedily determined, as I have now but a few years at most before me.

Dated at the city of Burlington, in the county of Chittenden, in the State of Vermont, this 19th day of June, 1888.

JOHN FARRELL.

Subscribed and sworn to before me by the said John Farrell this 19th day of June, 1888. I have no interest in said Farrell's application or petition for pension.

[SEAL.]

A. W. WHITTEMORE,  
Notary Public.

The bill was ordered to a third reading, read the third time, and passed.

CHARLES W. GEDDES.

The next business on the Private Calendar was the bill (S. 4697) to pension Charles W. Geddes for services rendered in the war with Mexico.

The bill is as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of Charles W. Geddes, of Washington, D. C., on the pension roll on account of services on board the United States steamer General Taylor during the war with Mexico, subject to the limitations and regulations of the pension laws of the United States in pensioning the survivors of the war with Mexico.

Mr. KERR, of Iowa. There does not appear to be anything in the bill showing that this man was a soldier. I would like to have the report read.

The report (by Mr. SMYSER) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 4697) granting a pension to Charles W. Geddes, have given the same due consideration and report as follows:

Said bill is accompanied by Senate Report No. 1884, this session, and your committee adopt the same as their report and recommend the passage of the bill.

[Senate Report No. 1884, Fifty-first Congress, second session.]

The Committee on Pensions, to whom was referred the petition granting a pension to Charles W. Geddes, have examined the same and report:

That facts upon which this claim is based are set forth in Report 930, Fifty-first Congress, first session, upon S. 3302.

That bill directed the Secretary of the Interior to issue to Mr. Geddes a land warrant for the same services upon which the present claim for pension is based, but by inadvertence it was reported as a pension bill.

The prayer of the above petition is that the claimant be placed upon the pension roll. The facts are set forth in the said Report 930, which is adopted by the committee and hereto annexed.

The committee report and recommend its passage.



[Senate Report No. 930, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 3302) for the relief of Charles W. Geddes, have examined the same and report:  
The appended report of the Committee on Invalid Pensions in the last Congress is adopted, and the passage of the bill recommended.

#### REPORT.

The claimant was an officer in the Navy from 1847 to 1855. He was warranted as third assistant engineer November 15, 1847; as second assistant engineer January 11, 1849; as first assistant engineer to rank from February 26, 1851.

Shortly after his first appointment he was ordered on board the United States steamer General Taylor, then stationed at Pensacola, Fla., to which vessel he was attached for a period of seven months, while it was employed in transporting seamen, etc., from New Orleans, where they were enlisted, to Pensacola, to serve on board vessels composing the Gulf Squadron, then co-operating with the land forces in the war with Mexico.

The Secretary of the Navy states that the General Taylor is not considered by the Navy Department as having been engaged in the prosecution of the war with Mexico at the time claimant served thereon.

The claimant applied to the Pension Bureau, under the act of March 3, 1855 (sections 2425 and 2426, Revised Statutes), for the allowance of a land warrant, but his claim was rejected upon the opinion of the Secretary of the Navy already referred to, that the General Taylor had not served in that war.

The action of rejection was affirmed by the Secretary of the Interior, on appeal.

The fourth clause of section 2426, Revised Statutes, includes as beneficiaries "wagon masters and teamsters who have been employed under the direction of competent authority in time of war in the transportation of military stores and supplies."

It seems but just that officers who were transporting recruits should be placed at least on an equality with civil employes employed in transporting supplies.

The Treasury Department has allowed Mr. Geddes three months' extra pay under the act of February 19, 1879 (United States Statutes at Large, volume 20, page 316), and thereby recognized him as engaged in the prosecution of the war.

Your committee are of the opinion that the bill should pass.

The bill was ordered to a third reading, read the third time, and passed.

LEVI DANLEY.

The next business on the Private Calendar was the bill (S. 337) granting a pension to Levi Danley.

The bill is as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Levi Danley, late corporal in Captain McClure's company, Illinois Mounted Infantry Volunteers, in the Black Hawk war of 1832, and pay him a pension at the rate of \$12 per month.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 337) granting a pension to Levi Danley, have considered the same and report as follows:

Said bill is accompanied by Senate Report No. 1862, this session, which your committee adopt as their report, and return the bill with a favorable recommendation.

[Senate Report No. 1862, Fifty-first Congress, second session.]

The Committee on Pensions, to whom was referred the bill granting a pension to Levi Danley, have examined the same and report:

That Corporal Levi Danley was enrolled in Captain McClure's company, Illinois Mounted Infantry Volunteers, May 4, 1832, for thirty days, in the Black Hawk war, and was mustered out of service with his company May 27, 1832. He is now about ninety years of age, infirm and feeble in health, and extremely poor financially, and has been supported for many years by charitable friends and neighbors, being unable to earn his own livelihood.

In this connection the committee call attention to the following letter from Senator CULLOM, of Illinois:

"DEAR SIR: There is a bill before your committee granting a pension to Levi Danley, who was a soldier in the Black Hawk war. I have known him for fifty years, perhaps. At one time, years ago, he was in fair circumstances, but is now absolutely without property and is about ninety years of age. He is a model man in all his personal habits of life, but is entirely dependent upon friends and the public for a living. I think he ought to be given a pension.

"He certainly will not survive many years longer, and it seems scarcely right that the old man, now about ninety years of age, as I have said, should be allowed to depend upon charity for an existence, after rendering service to his country in the Black Hawk war. I should be glad if you would give this case attention.

"Truly, yours,

"S. M. CULLOM.

"Hon. C. K. DAVIS,

"Chairman Committee on Pensions."

The committee recommend that the bill be amended by striking out "thirty," in the seventh line, and inserting "twelve," and that as amended the bill do pass.

The bill was ordered to a third reading, read the third time, and passed.

JOHN W. WEST.

The next business on the Private Calendar was the bill (S. 3487) granting a pension to John W. West.

Mr. HEARD. Mr. Speaker, I ask that that bill be laid over temporarily, as I desire to move an amendment to the name and have not the correct name here.

The SPEAKER *pro tempore*. In the absence of objection, the bill will be informally passed over.

There was no objection.

NATHAN C. MOORE.

The next business on the Calendar was the bill (S. 4299) granting a pension to Nathan C. Moore.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathan C. Moore, late a private of Captain Byram's company (E), of Col. Benjamin Snodgrass's regiment, North

Alabama Mounted Volunteers in the Seminole Indian war, and to pay him a pension of \$12 per month.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions to whom was referred the bill (S. 4299) granting a pension to Nathan C. Moore, have considered the same and report:

Said bill is accompanied by Senate report No. 1837, this session, and your committee adopt the same as their report, and return the bill, recommending its passage.

[Senate report No. 1837, Fifty-first Congress, second session.]

The Committee on Pensions, to whom was referred the bill (S. 4299) granting a pension to Nathan C. Moore, have examined the same and report:

This bill directs the Secretary of the Interior to place the name of Nathan C. Moore, late a private of Captain Byram's company (E), of Col. Benjamin Snodgrass's Regiment North Alabama Mounted Volunteers, in the Seminole Indian war, on the pension rolls, and pay him a pension of \$12 per month.

With this bill there are presented the affidavits of W. W. Green, M. Patton, W. L. Wright, and James T. Lutts, of Howell County, Missouri, and a letter from the War Department giving the military record and services of said soldier. The letter of the War Department, dated July 30, 1890, shows that the muster-out roll of Capt. Alden Byram's company (E), of Col. Benjamin Snodgrass's Regiment North Alabama Mounted Volunteers—the only roll on file—dated April 13, 1833, shows said soldier was enrolled October 25, 1837, at Bellefonte, Ala., to serve six months, and absent with leave April 6, 1838.

The affidavits establish the identity of said soldier, and that he is now about eighty years old, and is very feeble and wholly unable to perform manual labor and is without any means of support, and has always been a temperate, honest, truthful, and upright citizen, industrious and hard working as long as he was able to perform manual labor.

While his disabilities for manual labor can not now be traced to his service in the line of duty as a soldier and result from old age and its infirmities, and do not entitle him to pension under the general laws, yet his case comes clearly within numerous precedents in Congress granting pensions in similar cases.

Your committee therefore report the bill back to the Senate favorably and recommend its passage.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

WASHINGTON M. RICE.

The next business on the Private Calendar was the bill (H. R. 11461) granting an increase of pension to Washington M. Rice.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to pay to Washington M. Rice a monthly pension of \$25, in lieu of the amount now paid him, for service in the Louisville Legion during the war with Mexico.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 11461) granting an increase of pension to Washington M. Rice, have considered the same and report as follows:

The claimant was a private in Company H, First Kentucky Infantry Volunteers, and served from May 9, 1846, to June 9, 1847, in the war with Mexico. He is now in receipt of a pension of \$3 per month on account of said service.

The testimony of John R. M. Polk and Drs. W. P. White and R. B. Gilbert, of Louisville, Ky., shows that the claimant is nearly seventy years old, and a sufferer from chronic rheumatism to such an extent that he can do no manual labor to support himself and his infirm wife. This disease, the claimant alleges, was contracted during his Mexican war service.

It is further shown by the testimony of the above-named witnesses that the claimant owns no property and has no income from any source aside from his pension.

The claimant's service and disability and his aged and destitute condition call for favorable action at the hands of Congress, in the judgment of your committee, and the bill is therefore returned with the recommendation that it do pass with the following amendment: Strike out the word "five," in line 5, it being the purpose of the committee to recommend a pension at \$20 per month.

The amendment of the committee, as stated at the close of the report, was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

WILLIAM C. YOUNG.

The next business on the Private Calendar was the bill (H. R. 4906) granting a pension to William C. Young.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. Young, late a private in Capt. N. P. Dodson's company of Col. William Lindsey's regiment of Tennessee Volunteers of the Cherokee war of 1836 to 1838.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4906) granting a pension to William C. Young, have considered the same and report as follows:

The records of the Second Auditor's Office, Treasury Department, shows that the claimant served for four months and nine days as a foot soldier in Capt. W. P. Dodson's company of Col. William Lindsey's regiment of Tennessee Volunteers in the Cherokee Indian war of 1838. The claimant also alleges that he rendered almost two years of service additional to the above during the Indian disturbances of that period, but no record of same can be found.

A mass of testimony before the committee shows that the claimant is now about seventy-two years old and so much broken down in health and strength that he can do but little manual labor to support himself, and he has a wife and infant granddaughter depending upon him for maintenance; also, that he owns no real estate whatever and his personal property does not exceed \$200 in value, and that he has no income whatever except what he earns by manual labor.

It is also shown that the claimant is a good, honorable, and deserving man. In view of the claimant's service and his disabled and needy condition, your committee think the relief prayed for should be granted. The bill is therefore returned with a favorable recommendation.

Add after the last word in the bill the words "and allow him a pension at the rate of \$12 per month."



The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SARAH HUTCHINS.

The next business considered on the Private Calendar was the bill (H. R. 11077) granting a pension to Sarah Hutchins.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the pension laws and regulations, the name of Sarah Hutchins, dependent mother of Robert H. Hutchins, late of Company L, First Vermont Heavy Artillery.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11077) granting a pension to Sarah Hutchins, submit the following report:

The committee to whom was referred this bill has considered same and finds that the beneficiary is mother of Robert H. Hutchins, late of Company L, First Vermont Heavy Artillery. Said soldier died in the service in 1864 and left this beneficiary, really a dependent mother, though he also left a widow. This widow drew pension as his widow and received one payment only when she remarried and left the mother, for whom she has not since rendered any aid or support.

The mother has been living at times with daughters who themselves are unable to support her, and she now is in declining health and has to receive support from the town. She is seventy-nine years old and feeble. She is worthy, and the committee recommend that the bill do pass.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ERASTUS D. BUTLER.

The next business on the Private Calendar was the bill (H. R. 11454) increasing the pension of Erastus D. Butler, of Togus, Me.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Erastus D. Butler, late of Company E, Thirteenth Vermont Volunteers, to the sum of \$45 per month.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11454) increasing pension of Erastus D. Butler, has considered same and reports it back to the House with the recommendation that it do pass.

Beneficiary now draws a pension of \$36 a month, certificate 23146, for wounds received in service. His wounds are of such a character that his left leg, though not amputated, is of no use to him, and he has a greater disability with it than he would have without it.

For this reason his rate of pension is too small, and as his withered leg is not amputated his pension can not be by law more than \$36, when his disability is equal or greater than if the leg were off, in which case he would be by law entitled to \$45, what the bill provides.

Physician's affidavit is attached and made part of report. The affidavits of neighbors are in substance the same.

#### PHYSICIAN'S AFFIDAVIT.

I hereby certify that I have this day examined Erastus D. Butler, late of Company E, Thirteenth Vermont Volunteers, and find that he has a cicatrix of a rifle wound just above the left anterior superior spinous process of the ilium. Scar is adherent and dragging. Said Butler claims that the bullet was removed from this wound by surgical operation about 1870, and that previous to that time there was an open sore at this point. From the effects of this wound and resulting hip disease I find a shortening in the left leg exceeding 3 inches. Circumference of right leg at hip, 25 inches; left leg, 19. Circumference at calf, right, 15½; left, 14.

The swinging motion at the hip is very much impaired. I consider that he suffers more from this wound than he would from loss of leg at thigh joint, as the leg is entirely useless. I have no interest in this claim.

R. J. MARTIN, M. D.

AUGUSTA, ME., July 26, 1890.

STATE OF MAINE, Kennebec, ss:

Then personally appeared before me R. J. Martin, M. D., whom I know to be the person he represents himself to be, and made oath, in due form of law, that the foregoing statement by him subscribed is true. I have no interest in this claim.

[SEAL.]

LEWIS SELBING,  
Notary Public.

(Certificate on file.)

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

LAFAYETTE SOPER.

The next business on the Private Calendar was the bill (H. R. 12585) increasing the pension of Lafayette Soper, of Morrisville, Vt.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Lafayette Soper, late of Company A, Eleventh Vermont Volunteers, from \$30 a month to \$45 a month.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12585) increasing pension of Lafayette Soper, of Morrisville, Vt., submit the following report:

The committee has considered the same, and finds that Lafayette Soper was a member of Companies A, Eleventh Vermont Volunteers and First Vermont Artillery. He lost his left foot in the service and draws a pension for it of \$30 a month. He received a sunstroke in service also, for which he does not receive pension. When he lost the foot his weight was 160 pounds and it has increased till he weighs 215 pounds; and that burden on the right limb has permanently injured it so that the knee is weak and of little use, which renders him unable to move about very much.

Added to this he has become entirely blind in one eye and nearly so in the other, and is obliged to have the constant care and attention of another person. His combined disabilities seem to render him a proper person for increase of pension which the bill provides.

He is every way worthy, and all the statements of this report are abundantly attested by the affidavits of two surgeons and several neighbors.

Committee recommend that the bill do pass.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARIA L. HAMMER.

The next business on the Private Calendar was the bill (H. R. 1870) granting an increase of pension to Maria L. Hammer.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to increase the pension of Maria L. Hammer, a hospital nurse during the war of the rebellion, from \$12 per month to \$25 per month, to take effect from and after the passage of this act.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1870) granting an increase of pension to Maria L. Hammer, having examined and considered the same, report the same back to the House with a recommendation that it do pass with an amendment striking out the word "five," in line 6, so as to make it read at "\$20 per month."

The beneficiary is a maiden lady, now about seventy-three years of age, and utterly without other means of support than the pension of \$12 per month she is now receiving. Her health became so shattered in her duties as an army nurse that she has now completely broken down and not able to do anything towards her support.

Up to within a year or two she had been able to do something towards her support and was thus enabled to live; but now, having no relatives upon whom she can rely, she is a very worthy object of consideration upon the part of Congress, and by her services entitled herself to it. She was a nurse in the Southwestern Army for years and continuously engaged in her duties, and in those duties lost her health. She has made a very strong showing as to her needs, work, and character.

Your committee recommend the passage of the bill.

The report upon which the original bill in her favor was passed in the Forty-eighth Congress quite fully states the circumstances of her case, and we append it in full.

#### REPORT.

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1870) granting a pension to Maria L. Hammer, having had the same under consideration, report thereon as follows:

Maria L. Hammer, in November, 1862, was appointed and duly sworn in as a nurse in the United States Military Hospital Service by James E. Yeatman, president of the Western Sanitary Commission, acting under orders from Miss D. L. Dix, general superintendent of the nurses of military hospitals of the United States, who had authority so to do. Before entering this service her health had been good, and was at the time she commenced her duties as nurse.

Miss Hammer was assigned to duty as hospital nurse at Corinth, Miss. After remaining there for some time she was ordered with the sick to La Grange, Tenn., where she was assigned to college and seminary hospitals. Here she remained on hard and continuous duty in the hospitals until the 20th of July, 1863, at which time, from overwork, long continued, she was compelled to quit the service. She is shown to have been almost constantly on her feet over the sick and wounded, scarcely taking time to eat her meals. She was attacked with swelling of the feet and limbs to a phenomenal degree, and attended with very great pain, during which she could not stand upon her feet, and could not even bear the weight of anything upon the affected parts.

This was attended with other diseases peculiar to the female sex, and which has wholly broken her down and destroyed her health. She has no means of support, and has several times tried to earn her living by manual labor, but has been obliged to give it up each time. She is now sixty-four years old, and has no parents living and no home of her own. Her only refuge has been with a widowed sister, whose husband was also a soldier.

Senator Kirkwood, late Secretary of the Interior, has spoken strongly in her favor as to her desert and needs.

Peter A. Day, State railroad commissioner of Iowa; Mrs. Wittmyer, Iowa State sanitary agent, together with soldiers in the service and a large number of her neighbors and prominent men in the State, give their indorsement and support as to her merits that few cases of this class receive.

H. W. Crawford, M. D., chief of hospitals at La Grange, Tenn., on her leaving there, gave her a letter, in which he says, among other things:

"Miss Maria L. Hammer has been on duty as chief lady nurse in these hospitals for the last eight months, and has earned the everlasting gratitude of not only the sick and wounded soldiers, but all others who have witnessed her untiring labors in this wide field of humanity. No lady I know has earned a brighter record, and her name is in all the hospitals. She now wishes to retire for a season to recuperate her failing health," etc.

Your committee regard a case of this character as being as much entitled to their support and favor as any other branch of the military service, and therefore report the bill back with recommendation that it do pass, after amending the same by striking out the words "the 20th day of July, 1863," commencing in the eighth line, and inserting in lieu thereof the words "and after the passage of this act;" also, strike out in the seventh line words "arrars of;" also, in the eighth line, strike out the word "ten" and insert "twelve" in lieu thereof.

The amendments reported by the committee at the close of the report were read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

CAROLINE DAWSON.

The next business on the Private Calendar was the bill (H. R. 13159) restoring the pension of Caroline Dawson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll the name of Caroline Dawson, widow of C. L. Dawson, late assistant surgeon of the Thirty-first Iowa Volunteers, to take effect from and after the passage of this act.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13159) restoring to the pension roll the name of Caroline Dawson, widow of C. L. Dawson, late assistant surgeon of the Thirty-first Regiment of Iowa Volunteers, having examined and considered the same, report the same back to the House with a recommendation that it do pass.

The husband of the claimant was assistant surgeon of said regiment, and by reason of his services therein lost his health and died, in 1863, of disease contracted in such service. Thereafter his wife, the claimant, was granted a pension of \$17 per month, which was continued until her marriage, in 1864.

In that year she married one James Thompson, being advised and believing that he was well to do and that he could provide for her; but it turned out that



he was in debt, poor, and lost what property he appeared to have, and, further than this, did not so treat the claimant that she could live with him at all, and in December, 1878, he deserted her, and she thereafter obtained a divorce from him in the courts of Jackson County, Iowa, where she resided.

For the last ten years the claimant has been without any means of support, and has lived by her own exertions and by contributions of relatives and friends; that she is now sixty-six years of age, has no one upon whom to rely for support, and is in such health that it is impossible for her to earn her own living. This case is entirely within the line of precedent, and we think she should be given the relief demanded.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SARAH A. JOINER.

The next business considered on the Private Calendar was the bill (H. R. 12826) granting a pension to Sarah A. Joiner.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Sarah A. Joiner, a resident of Scottsborough, Ala., at the rate of \$12 per month, on account of disability resulting from disease contracted while serving as a hospital nurse during the war of the rebellion.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12826) granting a pension to Sarah A. Joiner, submit the following report:

Sarah A. Joiner served as a nurse from March 28, 1863, to June 15, 1865, by appointment of Miss Dix, and rendered good service. She was on duty with the armies in Tennessee, and was faithful and efficient in caring for the sick and wounded in the general hospitals at Nashville and Memphis.

The records of the War Department note Mrs. Joiner as on duty in years above mentioned. Soldiers in the Army testify to the fidelity of Mrs. Joiner in caring for the sick and wounded and her kindness to those in her charge. From the work in the hospitals her health became impaired, and as she has no income, she must depend upon her exertions for support.

In view of these facts the passage of the bill is recommended.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EMMA SOUTHWICK BRINTON.

The next business on the Private Calendar was the bill (H. R. 13074) granting a pension to Emma Southwick Brinton.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma Southwick Brinton, a nurse in the late war of the rebellion, and pay her a pension at the rate of \$25 per month.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13074) granting a pension to Emma Southwick Brinton, submit the following report:

It appears from the evidence on file in this claim that the subject of this report offered her services as a volunteer nurse December 28, 1861, and was assigned to duty at Alexandria, Va., and from that time until the end of the war she was in constant service, with the exception of a few weeks, when she was prostrated with fever and from overwork. During this service she was nearly always at the front caring for the wounded, and was sent from one hospital to another, where her services were most needed.

For all this service she received no pay, except for the time she was at Alexandria, and the small sum paid her at that place was all freely given to make her patients comfortable.

It also appears that she was a person of small means at the time, but she not only gave her valuable services, but all she possessed of wealth and property. She is now well advanced in years, has no husband or children, and no means of support other than her own labor.

Your committee recommend the passage of bill, amended, however, by making the sum to be so allowed \$12 per month.

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HORACE B. SEELEY.

The next business on the Private Calendar was the bill (H. R. 12316) granting an increase of pension to Horace B. Seeley, captain Company K, Eighty-sixth Regiment New York Infantry Volunteers.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Horace B. Seeley, late a captain of Company K, Eighty-sixth Regiment New York Infantry Volunteers, to \$72 per month.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12316) granting an increase of pension to Horace B. Seeley, captain Company K, Eighty-sixth New York Infantry, submit the following report:

Claimant was enrolled in Company K, Eighty-sixth New York Volunteers, on the 30th day of August, 1861; promoted to second lieutenant December, 1862; was wounded and taken prisoner at the battle of Gettysburg; was in confinement as a prisoner of war at Richmond, Camp Aylum, and Columbia until paroled at Northeast Ferry, N. C., March 1, 1865. He was mustered as captain May 15, 1865, and honorably discharged from the service June 27, 1865.

Captain Seeley was placed on the pension roll first at \$4.25 per month; was soon after rerated at \$17, then increased to \$24, and is now rated at \$30, for the following disabilities: Loss of teeth resulting from scurvy, nearly total deafness of left ear, epilepsy, and piles. Many witnesses of high standing in the community where Captain Seeley resides testify to his correct habits and upright character; also that he is in a deplorable physical condition; that he is subject to frequent attacks of epilepsy, which prostrate him and leave him for a time utterly unconscious; that these attacks are frequent and liable to occur at any time, which necessarily requires the almost constant aid and attention of another person.

The evidence of his family physician and affidavits of several other practicing physicians show that the disabilities for which he is pensioned have made

him a physical wreck and unfit for either physical or mental labor. Claimant can not be increased at the Pension Office on account of there being no rating between the amount he is now receiving and \$72, which requires the disability to be of such a nature as to require the constant aid and attendance of another person.

In view of these facts your committee make favorable report, and recommend that the bill do pass with the following amendments: Strike out "\$72" and insert "\$50," and add: "Nothing in this act shall be construed to prevent a further increase of pension by the Pension Office upon proof that the disability has increased."

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM D. CALKINS.

The next business on the Private Calendar was the bill (H. R. 12806) granting a pension to William D. Calkins, Company A, One hundred and eleventh Pennsylvania Volunteers.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, at the rate of \$72 per month, the name of William D. Calkins, late of Company A, One hundred and eleventh Regiment of Pennsylvania Volunteers.

The report (by Mr. CRAIG) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12806) granting an increase of pension to William D. Calkins, submit the following report:

The beneficiary enlisted January 23, 1862, in Company A, One hundred and eleventh Pennsylvania Volunteers, and was discharged April 7, 1863. He was pensioned at \$4 a month April 9, 1863, to September 5, 1883, when his disability—chronic diarrhoea—ceased, and he was dropped. He filed, September 7, 1877, claim for restoration, and alleged new disability (wound of head and right knee). Increase and new disability rejected January 25, 1884. He was granted a reissue August 16, 1887, back to April 9, 1863, at \$6 per month, for chronic diarrhoea, but claim for gunshot wound of head and knee rejected.

The wound in head and knee were not regarded as serious or disabling by claimant or the medical examining boards until recently. The claimant seems to have gone blind in 1877, and in a recent declaration, filed in 1890, claimed blindness as a result of wound in head and chronic diarrhoea. This claim was fully considered, and his pension increased to \$8 for his old disabilities, but rejected as to blindness, on the ground that his disease of eyes was not due to chronic diarrhoea or wound of the head.

The evidence of his comrades shows his wound of the head to have been from a ball striking the forehead at beginning of the hair, cutting the scalp 1½ to 2½ inches, and it was said, injuring the skull. One medical examining board report that the blindness was due to the wound. The medical referee of the Pension Office thinks it was not.

In view of this uncertainty, your committee believe the helpless condition of blindness and poverty of this soldier justify reporting the bill favorably, striking out the words "seventy-two" and inserting "forty."

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JAMES H. WALTON.

The next pension business on the Private Calendar was the bill (H. R. 7813) to place the name of James H. Walton on the pension rolls.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of James H. Walton on the pension rolls, at the rate of \$15 per month, subject to the provisions and limitations of the pension law.

The report (by Mr. DE LANO) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 7813) granting a pension to James H. Walton, have considered the same and report as follows:

The claimant was a private in Captain Lauderdale's company of Tennessee Mounted Militia, and served from June 14, 1836, to January 10, 1837, in the Florida Indian war.

In a declaration for pension filed December 26, 1889, the claimant declared that about November, 1836, in Florida, he was thrown from his horse and injured in the small of his back and spine. There was no mention of the alleged injury in the records, however, and the claimant being unable, by reason of the lapse of time, to find any one who served with him by whom to establish origin in the service, his claim was rejected by the Pension Bureau.

The testimony furnished by the claimant gives a history of disability from injury of back for the past forty years, and it is shown that he is now unable to perform any manual labor by reason of his injury and old age; he is seventy-three years old, and very poor, it being difficult for him to provide for himself independently of the aid of friends.

In view of the claimant's service and disabilities, your committee are of the opinion that the case is a proper one for relief by special act, and the bill is, therefore, returned with a favorable recommendation.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARY ELLIS.

The next business considered on the Private Calendar was the bill (H. R. 10611) granting a pension to Mary Ellis.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Ellis, of Spaulding County, Georgia, who is the widow of Capt. James T. Ellis, in the Creek Indian war of 1836, and allow her a pension of \$20 per month.

The report (by Mr. SMYSER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10611) granting a pension to Mary Ellis, have considered the same and report as follows:

The claimant's late husband, James T. Ellis, was enrolled May 13, 1838, as first sergeant of Capt. Stephen Malone's company of the First Regiment, Col. A. H. Stokes's Brigade, Georgia Volunteers. Subsequently, upon Captain Malone's



promotion to colonel of the regiment, Sergeant Ellis was elected captain of the company. His (Ellis's) service covered a period of one month and eleven days and was rendered during the Florida Indian war.

It is reliably shown that Mrs. Ellis has been bedridden most of the time for the past twelve years. She is about seventy years old. Her income, which is derived from the rent of the farm on which she lives (the rent being shared between her and her two adult children), does not amount to over \$45 per year. She owns no property whatever in her own name.

Your committee, after a careful review of all the facts, are of the opinion that the case is a meritorious one, and the bill is therefore returned to the House with a favorable recommendation.

Amend the bill to show the claimant's post-office address, Griffin, Ga., and to fix the rate of pension at \$12 per month.

The amendment of the committee as stated at the close of the report was read.

Mr. CHEADLE. Mr. Speaker, I would ask the chairman of the committee why the widow of one captain should not have the same pension as the widow of another?

Mr. MORRILL. Mr. Speaker, this bill is reported by the Committee on Pensions, the chairman of which is not present. Therefore I will answer the question. All service pensions are uniform, without regard to whether the soldier was a captain or a private.

Mr. CHEADLE. It does seem to me that in the enactment of measures of this kind into law there should be a uniformity. The gentleman from Georgia [Mr. STEWART] desired me to call the attention of the House to the facts in this case. The husband of this lady was an officer in the regular Army. It seems to me there should be uniformity about it.

Mr. MORRILL. There is uniformity. All service pensions are at the same rate.

Mr. BOUTELLE. There is a difference between service pensions and invalid pensions.

Mr. CHEADLE. The gentleman from Kansas [Mr. MORRILL] says pensions are all at the same rate. Unfortunately some are only at the rate of \$8 a month.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

MARCELLUS A. STOVALL.

The next business on the Private Calendar was the bill (H. R. 10483) granting a pension to Marcellus A. Stovall.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Marcellus A. Stovall, of Georgia, at the rate of \$20 per month, said Marcellus A. Stovall having been a private in the Richmond Blues, a company from Augusta, Ga., commanded by Capt. F. M. Robertson, in the Seminole Indian war in Florida in 1836.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10483) granting a pension to Marcellus A. Stovall, have considered the same and respectfully report as follows:

The claimant was a private in Capt. F. M. Robertson's company of Georgia volunteers, and served from January 23, 1836, to May 5, 1836, in the Florida Indian war. This service is a matter of record in the office of the Second Auditor of the Treasury.

It is reliably shown that the claimant is now about seventy-four years old and in needy circumstances.

The passage of the bill is recommended with an amendment to show the claimant's post-office address, i. e., Augusta, Ga., and to fix the rate of pension at \$12 per month.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

IRA A. STOUT.

The next business on the Private Calendar was the bill (H. R. 11926) granting a pension to Ira A. Stout.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll of the United States the name of Ira A. Stout, formerly a private in Capt. James P. Grundy's company, Col. William P. Trousdale's Second Regiment Tennessee Volunteer Infantry, in the Florida war, at the rate of \$20 per month, subject to the rules and regulations governing pensions.

The report (by Mr. NORTON) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 11926) granting a pension to Ira A. Stout, have considered the same and beg leave to submit the following report:

The claimant was a corporal in Capt. James P. Grundy's company of Col. William P. Trousdale's Second Regiment Tennessee Volunteer Infantry, and served from June 7, 1836, to January 14, 1837, in the Florida Indian war. Previous to the above term of enlistment he served some time with troops raised for the purpose of protecting the Southwestern frontier against Indian depredations, and he also served in the Commissary Department during the war with Mexico.

The testimony submitted to the committee shows that the claimant is seventy-four years old, and by reason of his age, varicose veins of a leg, impaired sight and hearing, is unable to do any work by which to support himself, and he possesses no property of any kind, but is dependent upon his friends for the necessities of life.

The passage of the bill is recommended.

Amend by striking out the word "twenty," in line 8, and inserting in lieu thereof the word "twelve."

Mr. WASHINGTON. Mr. Speaker, this is a very meritorious case. This man is seventy-four years old. He served in two wars. He has not many more years to live. He has nothing to live on. I know him personally, and I think it would be a hardship to cut him down to

\$12. I think he ought to have \$20 a month, and I move to nonconcur in the amendment of the committee.

The SPEAKER *pro tempore*. The question now before the House is on the amendment recommended by the committee.

Mr. WASHINGTON. I hope that will be voted down.

Mr. KERR, of Iowa. Does the gentleman from Tennessee say that this man is disabled?

Mr. WASHINGTON. He is, and is incapacitated from work. He is seventy-four years old.

The amendment recommended by the committee was disagreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

AGNES B. COLLINS.

The next business on the Private Calendar was the bill (H. R. 9876) granting a pension to Mrs. Agnes B. Collins.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Agnes B. Collins, widow of Joseph B. Collins, late a major and brevet colonel of the United States Army, and pay her a pension corresponding with the military rank of her late husband.

The report (by Mr. BARWIG) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 9876) granting an increase of pension to Mrs. Agnes B. Collins, have considered the same and beg leave to report as follows:

The claimant's late husband, Joseph B. Collins, retired major, United States Army, entered the service July 9, 1846, in Company F, United States Mounted Rifles, and was discharged at Jalapa, Mexico, May 19, 1847, by reason of disability arising from wounds received at Cerro Gordo, Mexico, April 18, 1847. Rank when discharged, a sergeant.

He was appointed second lieutenant Fourth Infantry March 29, 1848, from the District of Columbia; promoted first lieutenant July 7, 1853; captain May 4, 1861, and major Second Infantry January 20, 1865. He was slightly wounded at the battle of Bull Run, Virginia, August 30, 1862.

Major Collins was in active service until March 15, 1869, when he was placed on waiting orders, and he remained awaiting orders until February 1, 1871, when he was honorably mustered out of service as a supernumerary officer under section 12, act of July 15, 1870.

Under authority of an act of Congress approved March 3, 1879, Major Collins was, by an order of the President dated March 8, 1879, reinstated in the Army as a major of infantry, to date from January 1, 1871.

His retirement as of that date, under authority of the same act, was duly announced, and he continued on the retired list of the Army until the date of his death, December 20, 1888.

During the time that Major Collins was out of the service after the war with Mexico he received a pension on account of the loss of sight of an eye, the result of an injury received in said war.

Mrs. Collins now receives a Mexican war widow's pension of \$8 per month. This pension was allowed by the Pension Bureau upon Mrs. Collins showing that she was practically without means of support aside from her manual labor. She is now past sixty years of age, and she asks the increase provided by the bill in order that she may pass her remaining days in comparative comfort and independence. The amount asked is the same that is provided by the general law for majors' widows.

The passage of the bill is recommended with the following amendments: By changing the title so as to read: "A bill granting an increase of pension to Mrs. Agnes B. Collins." Also, by striking out all after the word "pension," in line 8, and substituting in lieu thereof the words "at the rate of \$25 per month as a major's widow, the same to be in lieu of the pension now drawn by her."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

HENRY SISSON.

The next pension business on the Private Calendar was the bill (H. R. 13066) granting a pension to Henry Sisson.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Henry Sisson, dependent son of John B. Sisson, late a soldier in the war of 1812, Virginia service, at the rate of \$18 per month.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13066) granting a pension to Henry Sisson, have given the same due consideration and report as follows:

A similar bill has at the present session been favorably considered by the Senate Committee on Pensions, and it is now on the Senate Calendar. The report (S. 2015) accompanying the same fully sets forth the facts, and your committee therefore adopt that report as their own, and return the bill to the House with the recommendation that it do pass.

[Senate Report No. 2015, Fifty-first Congress, second session.]

The Committee on Pensions, to whom was referred the bill granting a pension to Henry Sisson, have examined the same and report:

Henry Sisson, the claimant, is sixty-seven years old, much broken in health, a native of Virginia, now an inmate of the almshouse in this city, whose father, John B. Sisson, was a soldier and pensioner of the war of 1812. He is the only surviving member of the soldier's immediate family, destitute, and wholly incapacitated from earning his support by manual labor.

There are numerous precedents for the action contemplated by this bill. In view of this and of the merits of the case presented in the testimony hereto attached, the bill is reported with a favorable recommendation.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your petitioner, Henry Sisson, respectfully presents the following facts and request, which he prays may be carefully and favorably considered by your honorable bodies.

That he was born and raised in the county of Richmond, State of Virginia, and that he is now sixty-seven years old, and that he is now and has been for a long time unable to obtain his livelihood by manual labor, and that in consequence of

his advanced age, the loss of his right leg when eight years of age, and other bodily infirmities, and having no means of support, he has been compelled to be, and is now, an inmate of the almshouse in the city of Washington, D. C. That he is the son of John B. Sisson, who was a soldier in and a pensioner for his services in the war of 1812; that his father, the said John B. Sisson, died in the year A. D. 1860, and that no widow, child, or children of his father are now living except himself.

He therefore, in consequence of his poverty and helpless condition, appeals to your honorable bodies to grant him a pension for the few remaining years of his life as the invalid and destitute son of John B. Sisson, who honorably and faithfully served his country in the war of 1812.

HENRY SISSON.

WASHINGTON, D. C., December 5, 1890.

To the honorable the chairman of the Committee of Pensions of the House and Senate:

GENTLEMEN: I address you in behalf of Henry Sisson, who is now, and has been for several years past, an inmate of the almshouse in the city of Washington, D. C.

Mr. Sisson is a strictly temperate, worthy, and deserving man, but without means of self-support, and is unable to earn his living by manual labor on account of his advanced age, the loss of his right limb, and his other bodily infirmities.

I have been informed that Mr. Sisson is making an effort to obtain a pension as the invalid, helpless, and dependent son of John B. Sisson, who was a soldier in the war of 1812.

I beg to assure you, gentlemen, that I have no pecuniary interest in Mr. Sisson's pension claim, and that I make this statement simply as an act of charity, earnestly hoping that you will favorably consider his application, and that through you a pension will be speedily granted to cheer and give comfort to the few remaining years of his life.

Very respectfully,

CHARLOTTE A. VAN DOREN,  
In Charge of Mission Workers at the Almshouse and Workhouse.

I can fully indorse Miss Charlotte A. Van Doren as worthy of the utmost confidence in whatever she may state about this case.

JOHN CHESTER,  
Pastor Metropolitan Presbyterian Church.

WALLACH SCHOOL, December 10, 1890.

I cheerfully concur in the statement made by Miss Van Doren, having some knowledge myself of Henry Sisson and believing him to be worthy.

A. T. STUART,  
Supervising Principal Public School.

WASHINGTON ASYLUM,  
Washington, D. C., December 18, 1890.

To whom it may concern:

This is to certify that the records of this institution contain the following entry:

Henry Sisson, white; age, fifty-seven years; born Virginia; occupation, peddler; duration of residence in the District, seventeen years.

He is disabled by loss of one leg. I believe him to be worthy of assistance.

W. H. STOUTENBURGH,  
Intendant W. A.

I, L. D. Warner, clerk of the county court of Richmond County, do hereby certify that William B. Mitchell and James Yeatman this day personally appeared before me and made oath that they have known Henry Sisson from his boyhood; that he is the son of John B. Sisson; we also know that he was an invalid at eight years of age, and has been so up to this day.

Given under my hand this 6th day of October, A. D. 1890, and the seal of said court.

[SEAL.]

L. D. WARNER.

STATE OF VIRGINIA, County of Virginia, to wit:

On this 20th day of December, A. D. 1890, before me, L. D. Warner, clerk of county court in and for the county of Richmond, State of Virginia, personally appeared M. T. Mozingo, of lawful age and well known to me as a credible person, who, being by me duly sworn according to law, declares that he has been for fifty years personally acquainted with Henry Sisson, who is now an inmate of the almshouse in the city of Washington, D. C., on account of his helpless and destitute condition.

Affiant states that said Henry Sisson is unable to obtain his living by manual labor on account of his advanced age, the loss of his right leg, and his other bodily infirmities.

Affiant also states that said Henry Sisson is not addicted to strong drink, but is an honest, moral, and a deserving man.

Affiant also states that said Henry Sisson is the son of John B. Sisson, who was born, lived, and died in the State of Virginia, and that no widow and no child or children of said John B. Sisson are now living, excepting the said Henry Sisson.

Affiant further states that he believes, although he does not know it of his own personal knowledge, but from current reports often heard and never denied he has every reason to believe, that said John B. Sisson was a soldier in a Virginia company and regiment in the war of 1812, and received a pension from the United States Government on account of his services in said war of 1812.

Affiant further states that he has no interest, direct or indirect, in any claim to which this affidavit may relate.

M. X. T. MOZINGO.

Witness,  
M. H. SISSON.

Subscribed and sworn to before me this 20th day of December, A. D. 1890. And I hereby certify that I have no interest, direct or indirect, in any claim to which this affidavit may relate.

[SEAL.]

L. D. WARNER,  
Clerk of County Court of Richmond County, Virginia.

STATE OF VIRGINIA, County of Richmond, ss:

On this 20th day of December, A. D. 1890, personally appeared before me, L. D. Warner, clerk of the county court, a court of record within and for the county and State aforesaid, James E. Tallent, of lawful age, and well known to me as a credible person, who, being duly sworn according to law, declares that he has been for thirty-five years acquainted with Henry Sisson, who formerly resided in Richmond County, of Virginia and State of Virginia, but who now resides in the city of Washington, D. C., and that said Henry Sisson had one of his legs amputated when he was a boy, about fifty-eight years ago; that said Henry Sisson is the son of John B. Sisson, and that said John B. Sisson is dead, and that no widow or minor children survive the said John B. Sisson.

The affiant further states that while he does not know of his own personal knowledge, yet he believes, and from common report he has every reason to believe, that said John B. Sisson was a soldier in the war of 1812, and received a pension from the United States on account of said service in the war of 1812; and that said John B. Sisson was a private in Company \_\_\_\_\_, \_\_\_\_\_ Regiment of Virginia Infantry in war 1812; and that said Henry Sisson is the only surviving child of said soldier John B. Sisson, and that said Henry Sisson is now an invalid, unable to earn his livelihood by manual labor on account of his advanced age, the loss of his leg, and other bodily infirmities.

Affiant further states that he has no interest, direct or indirect, in any claim to which this affidavit may relate.

JAMES E. TALLENT.

Subscribed and sworn to before me this 20th day of December, A. D. 1890, and I hereby certify that I have no interest, direct or indirect, in the prosecution of this claim.

[SEAL.]

L. D. WARNER,  
Clerk of County Court Richmond County, Virginia.

STATE OF VIRGINIA, County of Richmond, ss:

On the 20th day of December, A. D. 1890, personally appeared before me, clerk of county court in and for the county of Richmond aforesaid, Thomas Jones, of lawful age, who, being duly sworn according to law, declares that he has been for a great many years acquainted with Henry Sisson, and that said Henry Sisson is the son of John B. Sisson, who, as is alleged, was a soldier in the war of 1812; that said John B. Sisson was a soldier in Virginia troops, and that said John B. Sisson is dead, and that no widow, minor child, or children survive him. That said Henry Sisson had his leg amputated about \_\_\_\_\_ years ago.

Affiant further states that he has no interest in any claim to which this affidavit may relate.

THOMAS JONES.

Subscribed and sworn to before me this 20th day of December, A. D. 1890, and I hereby certify that I have no interest in any claim to which this affidavit may relate.

"As is alleged" was interlined before signing.

[SEAL.]

L. D. WARNER,  
Clerk of County Court of Richmond County, Virginia.

STATE OF VIRGINIA, County of Richmond, ss:

On the 20th day of December, A. D. 1890, personally appeared before me, L. D. Warner, clerk of the county court in and for the county aforesaid, N. H. Sisson, personally known to me as a credible person and of lawful age, who, being by me duly sworn according to law, says that he has been for forty years personally acquainted with Henry Sisson, who is now an inmate of the almshouse in the city of Washington, D. C., and that said Henry Sisson is entirely unable to obtain his livelihood by manual labor in consequence of his advanced age, the loss of his right leg, and other bodily infirmities.

The said Henry Sisson is without the means of self-support and is in destitute circumstances. That said Henry Sisson is the son of John B. Sisson, who was born in the county of Richmond, in the State of Virginia, and that said John B. Sisson is dead, and that no widow, child, or children of said John B. Sisson are now living, excepting said Henry Sisson.

Witness further states that while he does not know of his own personal knowledge, yet he believes, and from current reports, often heard and never denied, he has every reason to believe that said John B. Sisson was a soldier in the war of 1812 as a soldier in a Virginia company and regiment.

Witness further states that said Henry Sisson is a temperate, intelligent, and worthy man.

Witness further states that he knows of his personal knowledge that said John B. Sisson was a pensioner.

Witness further states that he has no interest, direct or indirect, in any claim to which this affidavit may relate.

N. H. SISSON.

Subscribed and sworn to before me this 20th day of December, A. D. 1890, and I hereby certify that I have no interest, direct or indirect, in any claim to which this affidavit may relate.

[SEAL.]

L. D. WARNER,  
Clerk of County Court of Richmond County, Virginia.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ELIZABETH R. GORDON.

The next business on the Private Calendar was the bill (H. R. 12900) to increase the pension of Mrs. Elizabeth R. Gordon, widow of Maj. George A. Gordon, Fifth Cavalry.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Elizabeth R. Gordon, widow of Maj. George A. Gordon, Fifth Cavalry, to \$50 per month, in lieu of the pension she is now receiving, to date from the passage of this act.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12900) granting an increase of pension to Mrs. Elizabeth R. Gordon, have considered the same and report as follows:

Mrs. Gordon is the widow of the late Maj. George A. Gordon, Fifth Cavalry, United States Army. After the death of her husband she was allowed a pension of \$25 per month, and this bill is for the purpose of increasing her rate to a sum that will supply her with such comforts as are required in her invalid condition. As to the necessity for this increase the committee have the statement of her physician.

Dr. Yarrow, acting assistant surgeon, United States Army, says she has been under his care for nearly ten years and her condition is such that she requires a mode of living entirely inconsistent with the present income. He has explained this to her, and adds:

"Little ease can be derived from medical advice alone, especially if the absolute necessities are wanting."

Major Gordon graduated at the United States Military Academy July, 1854, and was continuously in service to the time of his death, October 26, 1878. As to the cause of his death Dr. Basil Norris, surgeon United States Army, says:

"It was the result of disease contracted in the line of his duty during the month of November, 1876, while on the Powder River expedition under Maj. Gen. George Crook against the Sioux Indians."

The excellence of his army record is certified by General Sheridan, who, after Major Gordon's death, wrote to General Sherman, urging him to aid in obtaining relief for his widow, and saying:

"Among the officers born in the South there were none in the service who had so many and such strong influences brought to bear on him to desert the flag as Jake Gordon (major). For these reasons and for his many qualities as a soldier, I have always looked after him during his life, and sought to appreciate his manly course."



Brig. Gen. George Crook testifies that Major Gordon served under his command in the Departments of Arizona and the Platte, speaks in the highest terms of his conduct as an officer, and says that protracted exposure in that inclement and cold climate, added to the hardships he was compelled to encounter, were the cause of the sickness that terminated in his death.

The records of the War Department show that during the war of the rebellion, from April, 1862, to the surrender of General Lee, April 9, 1865, he participated in forty-two engagements. From the time he graduated, in 1854, to the date of his death, it appears that there was scarcely any interval to his active and arduous service. The highest pay he drew was that of a major of cavalry, from which it was impossible for him to make any provision for the support of his family in the event of his death. His widow is now in delicate health, dependent solely upon the meager pension provided by the general law; and in view of her husband's large and faithful service the committee do not think it will be an excess of liberality to pass this bill for her relief.

The bill is reported favorably, with a recommendation that it do pass with an amendment to fix the rate of pension at \$40 per month.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARGARET M. COPELAND.

The next pension business on the Private Calendar was the bill (H. R. 7233) granting a pension to Margaret M. Copeland.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls of the United States the name of Margaret M. Copeland, at the rate of \$20 per month.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7233) granting a pension to Margaret M. Copeland, submit the following report:

Mrs. Margaret M. Copeland was the widow of Lafayette Pickering, who entered the service as first lieutenant, Company F, First Ohio Cavalry, September 17, 1861, was mustered as captain of same company February 12, 1863, and honorably discharged from the service September 22, 1864. He died from the effects of wounds received and chronic diarrhea contracted December 14, 1866, and his widow, the present claimant, drew a pension until her remarriage, December 16, 1873. The minors remained on the pension roll until the younger became sixteen years of age, on September 16, 1877.

Mrs. Copeland, then Mrs. Pickering, was much of the time with her husband in the field, and while there rendered, without compensation, valuable services in nursing sick and wounded soldiers, particularly after the battles of Stone River and Nashville, as shown by the testimonials of a large number of the officers and enlisted men of the First Ohio Cavalry. She has again been a widow since November 1, 1885. For several years she has been sorely afflicted with a cancer on her breast, by reason of which affliction she has exhausted all of her means for medical treatment, and in consequence whereof she is unable to earn a livelihood. Mrs. Copeland is a lady of excellent character and has the sympathy of the entire community in which she resides.

Her case, although similar to many others which received favorable consideration at the hands of Congress, possesses additional merit by reason of her sacrificing devotion to the sick and wounded of her husband's companions on the field of battle.

Your committee, therefore, return the bill with the recommendation that it do pass, amended, however, by striking out all after the word "Copeland," in line 5, and adding "late widow of Lafayette Pickering, captain of Company F, First Regiment Ohio Cavalry."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ALONZO R. HYATT.

The next business on the Private Calendar was the bill (H. R. 13271) granting an increase of pension to Alonzo R. Hyatt.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to pay to Alonzo R. Hyatt, late private of Company C, Thirty-eighth Regiment Ohio Volunteers, a pension hereafter at the rate of \$50 per month, in lieu of the pension he is now receiving.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13271) granting an increase of pension to Alonzo R. Hyatt, submit the following report:

This soldier was a member of Company C, Thirty-eighth Regiment Ohio Volunteer Infantry, war of 1861. He enlisted January 24, 1864, and was discharged from Company G, Sixth Regiment Veteran Reserve Corps, on June 17, 1865, he having been transferred to said last-named organization on March 3, 1865. He served with his company (C, Thirty-eighth Ohio Volunteer Infantry) during the Atlanta campaign at the front, and while so serving was severely wounded in action at Jonesborough, Ga., September 1, 1864, by a gunshot wound through the left thigh.

He was then sent to hospital in the field; from thence transferred through the intermediate hospitals to Cumberland general hospital at Nashville, Tenn. While en route to the last-named hospital he contracted gangrene in the wound, which was finally partially overcome so as to permit the healing of the wound and cicatrices formed thereby, but which left behind it and as a result of it, as he claims, a diseased, nervous, and osseous system, which finally developed into chronic blood poisoning and severe attacks of black or bone erysipelas.

The evidence in the case of his claim for increase shows that about twelve or fourteen years ago claimant had an attack of this erysipelas in the wounded limb, which compelled him to use crutches several months, since which time there have been recurring attacks of the same disease, the last attack being in January, 1887, which confined claimant to his bed until September, 1887, three months of which time he was delirious, and when he arose from his bed he was in the following condition, as shown by the report of the pension examining board, namely:

"There is a perfect ankylosis of right knee joint; the leg is greatly abducted, numerous cicatrices exist in close proximity to the joint as evidence of suppuration trouble. Right ankle joint is much ankylosed. There is perfect ankylosis of metacarpophalangeal joint of right great toe. Right shoulder joint is much limited in motion, antero-posterior motion is fairly good; can not raise arm nearly to right angle with body. Complete ankylosis of right elbow exists, bent at an angle of 45 degrees; wrist is perfectly ankylosed and much drawn to ulna side of arm. Ankylosis of both terminal joints of thumb; end of thumb gone.

"There is partial ankylosis of first, ring, and little finger, at metacarpophalangeal joints, and of all phalangeal joints of some fingers, and fingers dis-

torted. There is complete ankylosis of middle finger at metacarpophalangeal joint, and only one phalanx of finger remains."

Claimant filed his application for increase of pension in July, 1887, and again in July, 1890, alleging in substance that this deplorable physical condition was caused by reason of the gangrene in his wound, the chronic blood poisoning resulting therefrom, and the erysipelas occasioned thereby.

He furnished on this last application, as evidence, the affidavits of his captain and two comrades of his company, and other comrades of the same regiment, showing in substance the continuity and the recurring attacks of erysipelas; that he was and is a man of correct habits of life, and always has been such; that while yet in the service, and immediately subsequent to his discharge, he informed them concerning the fact that he had the gangrene in his wound while in hospital, and that it came near costing him his life.

The Pension Bureau requires of him that he should furnish the evidence of a commissioned officer, first sergeant, or two comrades of his company, showing the fact that he had gangrene while in hospital. This he is unable to do, for the reason that at that time no such officer or comrades were present with him in the hospital or where they could have personal knowledge of the fact. He was there wounded and alone so far as his company was concerned.

Your committee are of the opinion that, taking into account the claimant's own statements, his present badly crippled condition, his correct habits of life, the recurring attacks of erysipelas, his declarations to comrades shortly after he had the gangrene in his wound and about the time of his discharge, his present condition is fairly to be attributed to the gangrene and resulting chronic blood poisoning arising therefrom. He is pensioned at \$6 per month now for the wound.

The last rating by the medical board of examiners would give him \$36 per month for injury to right arm and \$24 per month for injury to right leg. The medical evidence filed shows that these injuries are permanent and that the claimant, as to very many of the common and necessary acts of life, must have the personal aid and attendance of another person constantly.

Your committee think, therefore, that \$50 per month is not too high a rate to be given in this case, and recommend the passage of the bill.

Mr. KERR, of Iowa. I would like a statement of the facts of this case.

Mr. BOOTHMAN. The report in this case is quite long, and many of the facts concerning it are within my own personal knowledge. I will make a statement which I think will explain the matter sufficiently. This soldier was a member of Company C, of my regiment. He served from January 24, 1864, to March 3, 1865, when he was transferred to the Veteran Reserve Corps.

In the battle at Jonesborough, Ga., on the 1st day of September, 1864, he received a bad flesh wound through the thigh. He was sent back to the hospital, and while in the hospital contracted gangrene in the wound which came near killing him at that time.

Mr. EVANS. That is a sufficient statement.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

EDELYN SPALDING.

The next business on the Private Calendar was the bill (H. R. 12628) granting a pension to Mrs. Edelyn Spalding, widow of Charles Spalding.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Edelyn Spalding, as widow of Charles Spalding, first lieutenant in Second Regiment of Dragoons, United States Army, commissioned in 1836.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12628) granting a pension to Mrs. Edelyn Spalding, have given the same due consideration and report:

The claimant's late husband, Charles Spalding, deceased, was appointed first lieutenant Second Dragoons, United States Army, June 11, 1836. He joined his regiment in July, 1836, and served therewith in Florida in the campaign against hostile Seminole Indians until December 15, 1837, when he resigned.

H. C. Muroe and H. V. Kell, citizens of Washington, D. C., testify that Mrs. Spalding is over seventy years old and nearly blind; also that she is without property or income, and is dependent upon others for support.

There are numerous precedents for the proposed legislation, and your committee therefore return the bill with a favorable recommendation, with an amendment to allow a pension at the rate of \$12 per month.

The amendment recommended by the committee was agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARY JANE FOX.

The next business on the Private Calendar was the bill (H. R. 13154) granting a pension to Mary Jane Fox, army nurse.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Jane Fox, late volunteer army nurse, and pay her a pension at the rate of \$12 per month.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13154) granting a pension to Mary Jane Fox, an army nurse, submit the following report:

From the testimony furnished in this claim it appears that Mary Jane Fox served as an army nurse from October 1, 1861, until April 1, 1862—six months in all. It is shown by abundant proof that she was assigned to duty at Annapolis, Md.; thence to the United States transports Empire City and Mantanzas; then at Hilton Head, S. C., and Dawpuskie Island, where, by her constant and severe work, caring for those in the hospitals sick with measles and smallpox, she incurred disabilities from which she has never recovered. She was discharged the service on account of these disabilities.

There is abundant evidence furnished by the officers and surgeons of the Forty-eighth Regiment of New York Infantry of her services, and there is abundant proof of her present condition of dependence, and your committee recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

## MARY BROOKS.

The next business on the Private Calendar was the bill (H. R. 13153) granting a pension to Mary Brooks, army nurse.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Brooks, late volunteer army nurse, and pay her a pension at the rate of \$12 per month.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13153) granting a pension to Mary Brooks, an army nurse, submit the following report:

From the testimony furnished in this claim it appears that the said Mary Brooks was appointed an army nurse, by whom it is not shown, and that in the month of September, 1861, was assigned to duty at Annapolis, Md., thence to duty upon the United States transports Empire City and Matanzas, the latter to Hilton Head, S. C., and to Dawpuskie Island in care of wounded patients and those afflicted with measles. She remained in such service until April 1, 1862, in all about six months, when, becoming both physically and mentally unfit for further service, she was given transportation to her home in New Jersey.

There is proof that she has never recovered her health, but is now very poor and totally unable to earn a livelihood and to a great extent dependent upon charity. Her services are certified to by the officers of the Forty-eighth Regiment New York Infantry and by surgeons under whom she served.

Your committee recommend the passage of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## GEORGIANA SMITH.

The next business on the Private Calendar was the bill (H. R. 13299) granting a pension to Georgiana Smith, an army nurse.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Georgiana Smith upon the pension rolls and pay her a pension, at the rate of \$12 per month, on and after the passage of this act.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13299) granting a pension to Georgiana Smith, an army nurse, submit the following report:

It appears from the evidence on file and furnished your committee in this claim, that the claimant was appointed a volunteer army nurse September, 1862, and served as such in the hospitals until March, 1865, or nearly three years of constant and unceasing labor. It is clearly shown that she was regularly appointed by proper authority. And that she is now in advanced age, with no one legally bound to her support, poor and dependent.

Your committee believe she is fully entitled to pension, by the many precedents established by Congress, and respectfully recommend the passage of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## JENNIE MAY CAIN.

The next business on the Private Calendar was the bill (H. R. 13030) granting a pension to Jennie May Cain.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll the name of Jennie May Cain, the imbecile and invalid daughter of Edwin C. Cain, deceased, late a private in Company E, One hundred and twenty-fourth Regiment Ohio Infantry Volunteers, and to pay her a pension at the rate of \$24 per month.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13030) granting a pension to Jennie May Cain, having considered the same, would report thereon as follows:

The claimant under this bill is the imbecile and invalid daughter of Edwin C. Cain, who was a private in Company E, One hundred and twenty-fourth Ohio Volunteers. He died at Louisville, Ky., January 5, 1863, of congestive chill, after an illness of only a few hours. The first news of such death was a telegram to the mother of this claimant, which so shocked her that she became unconscious, and so remained for several weeks.

A few months later this child was born. She has never spoken an intelligent word and is utterly helpless from birth. Such condition of the child is charged as the direct result of the nervous shock to the mother, in her then delicate health, upon the receipt of the sudden intelligence of the death of the soldier.

Your committee are of the opinion that the evidence submitted fairly sustains such allegation. The mother and child were left wholly without means of support. The mother remarried, and the second husband has wholly supported such child by his manual labor, being himself without means. He is now getting old and feels the burden of such support, as the child is in need of constant attendance and lifting from place to place.

Your committee have attached hereto the affidavits submitted, showing the condition of such child, and recommend the passage of the bill.

## STATE OF MICHIGAN, County of Mason, ss:

In the matter of the petition of Julia M. Conley, for pension for Jennie May Cain, an imbecile and invalid daughter of hers, by Edwin C. Cain, deceased, late private in Company E, One hundred and twenty-fourth Regiment Ohio Infantry Volunteers.

Clarissa Coon, aged sixty-three years, a resident of Ludington, Mason County, Michigan, being sworn, says that she has been well acquainted with Julia M. Conley for twenty-eight years last past; that she knew her at Wellington, Lorain County, Ohio, for the first time as Mrs. Edwin C. Cain; that on about January 5, 1863, said Edwin C. Cain, then a soldier, died suddenly and was sent home for burial; that the news of his death so shocked his wife, the said Julia M. Conley, that she became unconscious and did not recover for a number of weeks, and not fully until the birth of her child, the said Jennie May Cain, who was discovered to be soon after her birth and is now an imbecile and an invalid, as helpless as a babe during her whole life.

That affiant was the wife of Adolphus Gott, and a near neighbor of Mrs. Cain at the time of her acquaintance with the aforesaid circumstances; that she

cared for the said Mrs. Cain for a time before and after the birth of her child; three months or more in all; that she was informed that the attending physician, Dr. Davidson, said that if the child lived it was liable to be mentally and physically deformed; that it was the expressed opinion of all having knowledge of the facts that the child would, if living when born, be imperfect. Affiant says further that from her experience and knowledge of this case and others, that she believes that the mental and physical defects in said Jennie May Cain are the direct results of the effects of the news of the sudden death of her father upon her mother. Affiant further says that she is not interested in this claim for pension.

CLARISSA COON.

Sworn to and subscribed before me this 15th day of January, 1891; and I certify that I read said affidavit to said affiant and acquainted her with its contents before she executed the same.

[SEAL.]

HENRY C. RANSOM,  
Judge of Probate, Mason County, Michigan.

## STATE OF MICHIGAN, County of Mason, ss:

I, A. P. McConnell, being duly sworn, do depose and say as follows: That my post-office address is Ludington, Mason County, Michigan; that I have practiced medicine and surgery forty-one years, and that I was formerly surgeon of the Twenty-second Regiment Michigan Volunteer Infantry in the late civil war; that in the matter of the pension claim of Jennie May Cain, invalid daughter of Edwin C. Cain, who was formerly a private in Company E, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, I find on a physical examination of Jennie May Cain, as follows:

Her right side is paralyzed, so that she has no use of right arm or leg; that she is very much emaciated, the muscles attenuated; that she is free from fits or spasms, and, in my opinion, she has never had spasms or fits; that she is unable to do any labor, or to stand up or walk, and is obliged to have a constant attendant; that her approximate weight is eighty-five pounds; height, 4 feet; age, twenty-seven; that she is demented and idiotic, and, in my judgment, does not know right from wrong; that the mother of said Jennie May Cain alleges that when she was about three and one-half months pregnant with her she received a telegram from the seat of war informing her of the death of her husband, Edwin C. Cain, which sudden news so prostrated and affected her that she became almost immediately unconscious, and remained in this condition about three weeks, not knowing the least thing which took place during this time.

Such being the fact, and also taking into consideration the fact that said Jennie May Cain never has had any spasms or fits, and, as it is alleged, has never required any medical treatment from her babyhood to the present time, it is, therefore, my opinion that the condition of non compos mentis of said Jennie May Cain is the result of a nervous shock the mother received as aforesaid when said Jennie was about three and one-half months in utero; and further, it is alleged by the mother of said Jennie that she first discovered the blank condition of mind of said Jennie when she was about five months old, and that from her babyhood to the present time she has been demented and idiotic; and further deponent says not.

A. P. MCCONNELL.

## STATE OF MICHIGAN, County of Mason, ss:

Sworn to and subscribed before me this 20th day of January, 1891, by the above-named affiant; and I certify that he read the said affidavit and is acquainted with its contents, and was before he signed it.

[SEAL.]

HENRY C. RANSOM,  
Judge of Probate, Mason County, Michigan.

## STATE OF MICHIGAN, County of Mason, ss:

In the matter of the petition for pension for Jennie May Cain, an imbecile and an invalid, a daughter of Edwin C. Cain, late private in Company E, One hundred and twenty-fourth Regiment Ohio Infantry Volunteers.

Julia M. Conley, being sworn, says that she forty-eight years old and a resident of Ludington, Mich.; that she was the wife of said Edwin C. Cain, deceased, at the time of his death, and is the mother of his imbecile and invalid daughter, the said Jennie May Cain, who was twenty-seven years old July 20, 1890. That the sudden news of said Edwin C. Cain's death (which occurred January 5, 1863) so affected her that she lost consciousness and did not recover for a long time; that Dr. Davidson, of Wellington, Lorain County, Ohio, the attending physician, said at the time that her illness would probably result in the death of her child; if not, that it would not be sound in mind and body; that soon after the birth of her child she discovered that it was an invalid, and after a time that it was an imbecile.

Affiant says further that she was attended in her confinement by Dr. Grout, of Camden Center, Lorain County, Ohio; that Dr. Grout is dead, and that Dr. Davidson must be a very old man if living, but that she has no knowledge of his death; that the people of the community in which she lived expressed the opinion (generally) that her child, if living when born, would be imperfect; that she believes that the mental and physical defects in her child are the direct results of the effect of the news of the sudden death of her husband upon her.

Affiant further declares that she received from the United States Government \$200 bounty and \$50 back pay, after the death of her husband and on account of his services as a soldier; that he left no other property; that she drew a widow's pension of \$8 per month, and \$2 additional for her child until the child arrived at the age of sixteen years and until she herself remarried.

Affiant further declares that she has no means of support for herself and her imbecile invalid daughter except that provided by her present husband, John E. Conley, who works by the day at his trade to make such provision; that the property of said John E. Conley consists of a house and lot of the value of \$600 or thereabouts; that he is a man in poor health.

JULIA M. CONLEY.

## STATE OF MICHIGAN, County of Mason, ss:

Sworn to and subscribed before me, this 20th day of January, 1891, by the above-named affiant, and I certify that I read said affidavit to her and acquainted her with its contents before she executed the same.

[SEAL.]

HENRY C. RANSOM,  
Judge of Probate, Mason County.

## STATE OF MICHIGAN, County of Mason, ss:

I, C. F. H. Biggs, being duly sworn, depose and say as follows: That my post-office address is Ludington, Mason County, Michigan; that I have practiced medicine and surgery thirty-nine years, and that I was assistant surgeon of Fourth Ohio Cavalry in the late war of the rebellion, and that in the matter of the pension claim of Jennie May Cain, invalid daughter of the late Edwin C. Cain, late a private of Company E, One hundred and twenty-fourth Regiment Ohio Volunteers Infantry, I find on a careful examination, both physical and mental, of said Jennie May Cain as follows: The right side is so completely paralyzed that she has no use of the limbs of that side, the right arm or right leg; that Jennie May is thin and emaciated, the muscles being atrophied, soft, and inelastic.



She is entirely helpless; as much so as when a small child. She is unable to walk or even stand upon her feet. She is a constant care and has to have constant attendance. Mentally she is demented, I might say idiotic, and is irresponsible, not knowing good from evil or right from wrong. The mother of Jennie May Cain alleges that when she was between three and four months pregnant with said Jennie May that she received a telegram announcing the sudden death of her husband, Edwin C. Cain. This sudden news so completely prostrated her with grief that she became unconscious and remained in that condition for a long time. The mother alleges that when Jennie May was born that she had the appearance of a healthy, well-developed child, and she further alleges that the said Jennie May has never had fits or spasms, nor any other sickness requiring any medical treatment from her childhood to the present.

It is further alleged by the mother that when she first discovered the blank condition of Jennie May's mind the child was five or six months old, and as she grew in months and years her demented and idiotic condition became a fixed fact. When I review the mother's statement, the fact of her being about three and one-half months pregnant with the said Jennie May when she was so prostrated by the shock above narrated, I can only come to the conclusion, and it is my belief, that the physical and mental deformed condition of Jennie May Cain was a freak of nature taken on in utero; and further this deponent says not.

C. F. H. BIGGS.

STATE OF MICHIGAN, County of Mason, ss:

Sworn to and subscribed before me this 23d day of January, 1891, by the above-named affiant, and I certify that he wrote the said affidavit and is acquainted with its contents and was before he signed it.

[SEAL.]

HENRY C. RANSOM,  
Judge of Probate, Mason County, Michigan.

Hon. B. M. CUTCHERON,

Representative in the United States Congress from the Ninth district of Michigan:

Your petitioner would respectfully represent that she, Julia M. Conley, a resident of the city of Ludington, county of Mason, and State of Michigan, is the mother of Jennie May Cain, an incompetent invalid person, who was twenty-seven years of age July 20, 1890. That said Jennie May Cain is the daughter of Edwin C. Cain, the first husband of your petitioner. That said Edwin C. Cain was a soldier in Captain Bullock's company (Company E) of the One hundred and twenty-fourth Regiment of Ohio Volunteer Infantry, in the war of the rebellion, and died January 5, 1863, at Louisville, Ky., while in the line of duty.

That he was sick only a few hours, and that the immediate cause of his death was a congestive chill. That the first news that your petitioner received that her husband was not alive and well was a telegram that he was dead; that she was so shocked by it that she became unconscious, and continued so for a long time, it being two months or more before she was able to be out of bed, and that she continued in poor health until the birth of her child, the said Jennie May Cain, who has been an incompetent invalid since her birth. That the physical and mental defects of said child are the direct results of the effects of the news of the sudden death of the husband of your petitioner upon her.

Your petitioner further represents that she drew a pension of \$8 per month as the widow of said Edwin C. Cain from the latter part of 1863 (certificate No. 11341) to the subsequent time that she applied for pension as the guardian of said Jennie May Cain, which was granted at \$8 per month and \$2 additional for the child, which pension she drew until she remarried, and until the said Jennie May Cain arrived at the age of sixteen years.

Your petitioner further shows that she has no means of support for her child other than that furnished by her present husband, John E. Conley; that he provides for his family by day work at his trade, and that he is a poor man in poor health.

Your petitioner respectfully asks your assistance in procuring relief for said child by special legislation of Congress.

JULIA M. CONLEY.

STATE OF MICHIGAN, County of Mason, ss:

In the matter of the petition of Julia M. Conley for pension for Jennie May Cain, her imbecile and invalid daughter.

John E. Conley, being duly sworn, says that he is—years of age; that his post-office address is Ludington, Mich.; that he is the husband of said Julia M. Conley; that they were married on the 18th day of March, 1877; that since the date of his marriage with said Julia M. Conley to this date he has supported her imbecile and invalid daughter, the said Jennie May Cain; that he has known the said Jennie since she was two years old; that during the whole time she has been an incompetent, helpless invalid; that she, the said Jennie, nor her mother has any means of support other than that provided by affiant; that his property consists of a house and lot of the value of \$600, or thereabouts; that he works by the day at his trade for the support of his family and the said Jennie May Cain; and that he has no other means of support.

JOHN E. CONLEY.

Sworn to and subscribed before me this 21st day of January, 1891; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same.

[SEAL.]

HENRY C. RANSOM,  
Judge of Probate, Mason County.

[Claim Office, E. S. Tracy.]

CHARLOTTE, EATON COUNTY, MICHIGAN,  
February 19, 1867.

DEAR SIR: Inclosed find application for increase of pension, certificate No. 11341, payable to Cleveland agency; wishes increase paid at Detroit (Mich.) agency.

Also find affidavit of mine as to mailing to your office October 19, 1866, the certificate of pension No. 11341 of hers. You will much oblige Mrs. Cain who needs the pension, as it is her only means of support, whose child, Jennie May Cain, is a cripple and needs a great deal of care—over three years old and unable to walk or stand alone—if you will attend to this at once. I received letter from your office saying application for increase in this case is not acknowledged, dated February 8, 1867.

Yours, with respect,

EDMUND S. TRACY,  
Attorney for Mrs. Cain.

JOSEPH H. BARRETT, Esq.

The committee recommend, in line 8, to strike out the words "twenty-four" and insert the word "eighteen," and in line 9, after the word "month," to insert the words "the same to be paid to her legally appointed guardian."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

ADALINE L. MILLER.

The next business considered on the Private Calendar was the bill (S. 3258) granting a pension to Adaline L. Miller.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 per month, the name of Adaline L. Miller, late a nurse in the United States hospitals during the war of the rebellion.

The report (by Mr. LANE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3258) granting a pension to Adaline L. Miller, submit the following report:

That the committee have fully considered this case and adopt the report made by the committee of the Senate herein as their report, which report is as follows:

"It seems, from the proofs submitted, that the beneficiary was an army nurse during the war of the rebellion, and served some four years as such in the hospitals at Cairo, Bird's Point, Paducah, and on hospital boat Nashville; also at Vicksburg after the surrender of that place.

"There is no doubt in the opinion of your committee that, under the precedents set in such cases, this is a case in which the usual pension granted to army nurses should be given."

Your committee recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

SARAH J. POWERS.

The next business considered on the Private Calendar was the bill (S. 2529) granting a pension to Sarah J. Powers.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah J. Powers, widow of Norman Powers, late of Company E, Twenty-ninth Wisconsin Volunteers.

The report (by Mr. SAWYER) is as follows:

The Committee on Pensions, to whom was referred the bill granting a pension to Sarah J. Powers, have examined the same and report:

This bill passed the Senate during the last Congress, but failed to receive action by the House of Representatives. The reasons urged in the former report of your committee, hereto appended, are only the stronger after this lapse of time, and your committee again recommend the passage of the bill.

The former report is as follows:

"Sarah J. Powers was the widow of Norman Powers, late of Company E, Twenty-ninth Regiment Wisconsin Volunteers. Her husband's death occurred at Milliken's Bend, La., July 31, 1863.

"She was, with her minor children, allowed a pension at the rates fixed by law, which she continued to draw until her remarriage. In consequence of the brutal treatment of her second husband she applied for and was granted a divorce, with the custody of her children, including an infant, which was the product of her second marriage. Sixty-five citizens of Fox Lake, Wis., petition Congress for her present relief by restoration.

"It is apparent to the committee that she is a most worthy woman, that her circumstances are such as to require relief, and inasmuch as it is consistent with numerous precedents, besides being an act of justice in itself, the bill is reported favorably, with a recommendation that it do pass."

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN F. WHIPPLE.

The next pension business on the Private Calendar was the bill (H. R. 13300) granting an increase of pension to John F. Whipple.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of John F. Whipple, late of Company L, First Regiment Massachusetts Heavy Artillery, to \$40 per month: *Provided,* That nothing in this act shall be construed so as to deprive him of any increase of pension to which he might otherwise be entitled to under any general law.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13300) granting an increase of pension to John F. Whipple, submit the following report:

John F. Whipple served as private in Company L, First Regiment Massachusetts Heavy Artillery, from February, 1862, until July 3, 1865, when discharged by reason of wounds received in action June 16, 1864. The wound received at that time was one of the left leg.

Subsequently and on April 10, 1865, while assisting in firing a national salute by order of the War Department in celebrating the surrender of General Lee, by the explosion of the gun he was wounded in the right forearm, which wound necessitated the amputation of the member. For this loss Whipple is now a pensioner at the rate of \$30 per month, no pension being allowed for the wound of the leg under the general pension laws until the combined disabilities resulted in total helplessness.

The wound in the left leg has, as is shown by the medical evidence in the case resulted in a badly varicose condition of the same, and as far back as 1886 the Salem, Mass., medical board has rated this disability as entitling the pensioner to \$10 per month. Since that time the disability described has steadily increased and constant medical attention is required for the same, besides causing much pain and suffering.

Your committee see no reason why this brave soldier should not receive compensation for this serious injury received on the field of battle because the general law does not make provision therefor.

We therefore return the accompanying bill with the recommendation that it do pass.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MARY B. PECK.

The next business on the Private Calendar was the bill (H. R. 13138) to pension Mary B. Peck, widow of Maj. James S. Peck.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll, subject to the provisions and limitations of

the pension laws, the name of Mary B. Peck, widow of James S. Peck, late major of the Seventeenth Regiment of Vermont Volunteers, and to pay her a pension as the widow of a major in lieu of the pension as the widow of a first lieutenant, which she is now receiving.

The report (by Mr. NUTE) is as follows:

The committee to whom was referred the bill (H. R. 13138) to pension Mary B. Peck has considered the same and finds that she is the widow of James S. Peck, of the Seventeenth Vermont Regiment, and that he was mustered in as a private and mustered out as a first lieutenant and adjutant at close of war, 1865.

There was a vacancy of major in the regiment December, 1864, and at that time James S. Peck was recommended for promotion to fill that vacancy. From great loss by death and wounds the regiment was in need of officers and Peck was duly commissioned, but the loss of the regiment continued to be so great that when James S. Peck appeared for muster into United States service the regiment had too few men to allow his muster as major.

Meantime for several months he was commissioned as major, acted as major, and received the disabilities from which he afterwards died while so acting as major, and was not mustered as such because his regiment had lost so heavily that their number would not allow it. Loss in his regiment was so great that he was for some time the only regimental officer with the command.

Copy from report of the adjutant general of Vermont shows the following loss at that time:

	Killed.	Wounded.
Field officers .....	3	*1
Captains .....	2	8
Lieutenants .....	9	10

\* Wounded twice.

The following affidavit of the surgeon of the regiment shows the exact situation at the time:

"October 2, 1864, I found James S. Peck suffering from pneumonia, induced, as I believe, by excessive and unusual care, exertion, and exposure during and after the fight at Poplar Grove Church, Virginia, September 30, 1864, in which, all the ranking officers having been killed, wounded, or separated from the regiment, the command devolved upon him, compelling him to hold a difficult and dangerous picket line in face of the enemy and under fire through twenty-four hours of rain without shelter of any sort."

The same facts that prevented his muster then prevent it now under the law. His widow draws \$17 pension and the bill provides \$25, pension of a major's widow, and the committee recommend that the bill do pass.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

ALICE O. LEIGHTON.

The next business on the Private Calendar was the bill (H. R. 12803) granting a pension to Alice O. Leighton, widow of Everett W. Leighton, Company C, Thirtieth New Hampshire Volunteers.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice O. Leighton, widow of Everett W. Leighton, deceased, late of Company C of the Thirtieth New Hampshire Volunteers, at the rate of \$12 per month.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12803) granting a pension to Alice O. Leighton, widow of Everett W. Leighton, deceased, Company C, Thirtieth New Hampshire Volunteers, submit the following report:

That the husband of said claimant, for whose services a pension is requested, was a member of Company C, Thirtieth Regiment New Hampshire Volunteers; enrolled August 15, 1862, and discharged March 4, 1863, on account of chronic diarrhea, complicated with jaundice, which caused his death on the 14th of the same month.

The said widow was granted a pension of \$8 per month, with \$2 additional for each of the following-named children: Warren E. Leighton and Clara Bell Leighton, commencing March 14, 1863, which she had the benefit of until December 6, 1877, when the said widow was married to one Ezra Butler, with whom she lived until some time in November, 1879, but the marriage proved to be such an unhappy one that the said widow was obliged to leave the said Ezra Butler and return to her own home. In June, 1881, a divorce was granted, but upon no ground unworthy of the soldier's widow.

Since December 6, 1877, the said widow has been obliged to depend upon her own exertion for maintenance and support. She is poor and now sixty-seven years of age, and the committee, believing this to be an unusually deserving case, recommend the passage of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

EDWARD JARDINE.

The next business on the Private Calendar was the bill (H. R. 10324) to increase the pension of Edward Jardine.

The bill was read, as follows:

*Be enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Edward Jardine, late colonel and brevet brigadier general United States Volunteers, on the pension roll at the rate of \$100 per month, in lieu of his present pension of \$50 per month.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10324) to increase the pension of Edward Jardine, submit the following report: The proposed beneficiary is now in receipt of pension at the rate of \$50 per month under act of Congress approved September 3, 1888.

The facts in the case are set forth in the report of this committee of the Fifth Congress, which is as follows:

"Edward Jardine, while colonel of the Ninth New York Volunteers and brevet brigadier general, was wounded in thigh during the New York City draft riots. He is now a pensioner at \$30 per month, under special act of Congress, approved June 6, 1874. This rate can not be increased by the Pension Bureau, because the rate of pension is fixed by the act; and therefore, and because of increased disability, pensioner comes to Congress for relief.

"Dr. G. H. Humphrey, of New York City, under date of February 6, 1888, makes the following statements:

"I hereby certify that I have known this officer and have attended him professionally from time to time since the year 1861, when we served together during the war in the same regiment, the Ninth New York Volunteers (the Hawkins Zouaves), and that on the 15th July, 1863, in the city of New York, during the draft riots, General Jardine, while in command of troops engaged in suppression of the riots, was wounded in action, suffering a compound gunshot fracture of the left thigh bone in its upper third. This wound crippled him for life. After about a year of great pain and peril he so far recovered as to get about on crutches with a badly deformed and useless limb.

"But the wound has repeatedly broken out afresh, and during the past twenty-five years he has again and again undergone the greatest pain and danger to his life in consequence of attacks of inflammation and death of portions of the injured bone, with extensive abscesses; that during the past ten months he has been confined to his bed owing to one of these attacks, the result of a fall, which for the third time refractured his tender, badly irritated limb, and during a portion of this time his life has been in the utmost danger from septic blood poisoning.

"He is at present confined absolutely to his bed or reclining chair, quite unable to move from place to place without great assistance, or to dress himself, or to serve himself in any of the ordinary functions of life, unable to sit in a natural attitude owing to stiffening of the left hip joint and, moreover, liable at any time to a recurrence of the dangerous inflammations which so often have threatened to kill him. He may perhaps ultimately get about again upon crutches, but the state of the limb does not yet warrant a prediction as to when the time for so doing may come."

"Medical examination ordered by the Pension Bureau under a misapprehension of facts since the date of the above-quoted certificate of Dr. Humphrey fails to show an improvement in General Jardine's condition, a thing almost out of question in view of his advanced age.

"The general pension laws provide a pension of \$50 per month for those who are so totally disabled as to require the regular aid and attendance of another person, but as this amount can not be granted by the Pension Bureau, for reasons heretofore stated, your committee, fully satisfied of the applicant's helplessness condition, are of opinion that the relief asked for should be granted, and therefore report favorably on the accompanying bill and ask that it do pass."

That General Jardine's condition has not improved clearly appears from another affidavit of Dr. Humphrey, recently filed with your committee. The doctor testifies as follows:

"I hereby certify that I am the ordinary medical attendant of General Edward Jardine and that I have taken part in the management of his case at intervals ever since the time of his original wounding. I am thoroughly familiar with his condition, and find that his left thigh bone is badly shortened and deformed in consequence of a gunshot fracture received in action while in command of troops, under order of General Wool, during the New York draft riots, July 15, 1863.

"The wound never healed soundly and the bone has suffered refracture at least twice; moreover, during the past twenty-five years there have been many attacks of inflammation of the bone, some of them requiring operations for the removal of dead fragments.

"General Jardine's limb is now not only quite useless, but it is a positive hindrance to him. Without the aid of a servant he can not rise from his bed nor dress himself, and it is with extreme difficulty that he can get up from a chair or sit down in one.

On an even floor he can move a few steps on crutches, but only at the cost of great fatigue and pain and at the risk of falling. He is quite unable to mount or dismount stairs or to get into a carriage or to alight from one without help. No further treatment for the restoration of the limb to usefulness is now practicable, nor do I believe that anything more can be done in the future."

General Jardine has no income except his pension.

Your committee are of opinion that he should receive the pension provided under the general law for total helplessness, and therefore report favorably on the accompanying bill and ask that it do pass, amended, however, by striking out the words "one hundred" in line 6 and inserting therein instead the words "seventy-two."

Mr. FARQUHAR. Mr. Speaker, the committee has reported as an amendment to strike out "\$100" and insert "\$72." I want to state the fact to the House, which many have doubtless seen in the New York papers in the last few days that General Jardine is possibly on his deathbed. A consultation of surgeons has been held. This is the Union soldier who led the troops during the draft riots in 1863, as the commander of the Hawkins Zouaves. During all these years this man has been so crippled that he has hardly been able to earn anything like a decent livelihood.

A MEMBER. What was his rank?

Mr. FARQUHAR. He was a brevet brigadier general. Now, the condition of this man is such that I think I can appeal to almost any one in the Committee on Invalid Pensions. He was so crippled and so disabled that for years he has required continuous help of another person. The report is quite long, as it contains the surgeon's certificate as to his disability. That man saved millions of property in the city of New York during that awful riot; and certainly the least that can be done for him now is to grant him this hundred dollars a month.

You have given plenty of parties a hundred dollars a month who were much less deserving than Edward Jardine. He was a very deserving, faithful soldier. He was three times mentioned for bravery and ability in general orders. I think it is unfair to cut the amount down simply because there is a law which limits a disabled man to \$72; and I appeal to the House to do justice to this man to whom we ought to have done justice long ago. He was a great soldier.

Mr. FLOWER. I indorse every word that my colleague has said in regard to General Jardine. I had a letter the day before yesterday from General Barnum, who was shot at Malvern Hill, in which he said that General Jardine can not leave his house without employing a coupé and a man to take care of him; and I think when his disability is so great his case would appeal to gentlemen to allow this to remain at \$100 as proposed in the bill as introduced.

Mr. BOUTELLE. Mr. Speaker, I have been a personal witness for many years of the great degree of General Jardine's disability and we know the splendid record he made as a soldier.



The SPEAKER *pro tempore*. The question is on agreeing to the amendment recommended by the committee.

The question was taken; and the amendment was rejected.

The bill was then ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MRS. ADELINE S. WILBUR.

The next pension business on the Private Calendar was the bill (H. R. 13213) to pension Mrs. Adeline S. Wilbur.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension rolls, subject to the provisions and limitations of the pension laws, the name of Mrs. Adeline S. Wilbur, widow of Charles H. Wilbur, late of the ship Edward, Mexican war, and allow her a pension at the rate of \$3 per month.

The report (by Mr. RANDALL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13213) granting a pension to Mrs. Adeline S. Wilbur, have considered the same and report as follows:

The claimant's deceased husband, Charles H. Wilbur, was one of the crew of the United States whaler ship Edward, commanded by Capt. John S. Barker, which ship being on a cruise in the Pacific Ocean (during the progress of the war with Mexico) touched the shores of Mexico at a place called San José, where they were spoken by a trading sloop to go to the rescue of the garrison at said place, which was in the possession of our American troops (23 men), but which was surrounded by several hundred Mexicans cutting off the water front.

The whaling ship Magnolia dropped anchor near the Edward, and at the request of the garrison the forces of the two ships were combined, making a force of about sixty men, who landed, drove the enemy back, and remained there until the United States ship Relief relieved them. In order to perform the service above named the ships Edward and Magnolia were left in charge of two men each, and the landing force marched 1½ miles to reach the garrison.

After relief came the ship Edward took dispatches to Commodore Shubrick, who was stationed at Mazatlan with the squadron. Commodore Shubrick returned thanks in behalf of the Government for the service rendered by the Edward on that occasion, and at his request the Edward carried fixed ammunition, shells, etc., back to the garrison.

The official report of the United States Fish Commission for 1875-'76 contains at the bottom of page 113 the following statement:

"The London Mercantile Gazette of October 22, 1852, said: 'The number of American ships engaged in the southern whale fisheries alone would of themselves be nearly sufficient to man any ordinary fleet of ships of war which that country might require to send to sea. Instances are not wanting, indeed, where whalers have undertaken yeoman service for their country. Thus in November, 1846, Captain Simmons, of the Magnolia, and Captain John E. Baker, of the Edward, both of New Bedford, hearing that the garrison of San José, Lower California, was in imminent danger, landed their crews and marched to its relief, etc.'"

On page 421 of the same volume a table showing returns of whaling vessels sailing from American ports has a marginal note mentioning the fact that Captain Barker, of the Edward, marched with his crew to the relief of the garrison of San José in 1846.

The following certificate accompanies the bill:

"CUSTOMHOUSE, NEW BEDFORD, MASS.,  
Collector's Office, January 22, 1891.

"I certify that the records of this office show that Charles H. Wilbur was one of the crew of the ship Edward, of this port, from July 14, 1845, to April 6, 1849, on a whaling voyage to the Pacific Ocean.

"Given under my hand and seal of office this 22d day of January, 1891.  
[SEAL.] JAMES C. HITCH, Deputy Collector."

George James, George F. Bartlett, and David P. Caswell testify to the identity of the claimant as the widow of Charles H. Wilbur, and state that she has no property, but is dependent upon her labor for support.

There is a precedent for this legislation in the case of Charles H. Perry, whose pension was allowed by a special act of Congress passed at the first session of the present term.

The passage of the bill is therefore recommended.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

GEORGE JAMES.

The next pension business on the Private Calendar was the bill (H. R. 13212) granting a pension to George James.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension rolls the name of George James, of Long Plain, Mass., late cooper on the whale ship Edward, in the Mexican war, and pay him a pension at the rate of \$3 per month.

The report (by Mr. RANDALL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13212) granting a pension to George James, have given the same due consideration, and report as follows:

The claimant declares that while serving during the time of the Mexican war as cooper on the United States whale ship Edward, commanded by Capt. John S. Barker, the ship touched the shores of Mexico at a place called San José, where they were spoken by a trading sloop to go to the rescue of the garrison at said place, which was in the possession of our American troops (23 men), but which was surrounded by several hundred Mexicans, cutting off the water front.

The whaling ship Magnolia dropped anchor near the Edward, and at the request of the garrison the forces of the two ships were combined, making a force of about sixty men, who landed, drove the enemy back, and remained there until the United States ship Relief relieved them. In order to perform the service above named the ships Edward and Magnolia were left in charge of two men each, and the landing force marched 1½ miles to reach the garrison. After relief came, the ship Edward took dispatches to Commodore Shubrick, who was stationed at Mazatlan with the squadron. Commodore Shubrick returned thanks in behalf of the Government for the service rendered by the Edward on that occasion, and at his request the Edward carried fixed ammunition, shells, etc., back to the garrison.

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On page 421 of the same volume a table showing returns of whaling vessels sailing from American ports has a marginal note mentioning the fact that Captain Barker, of the Edward, marched with his crew to the relief of the garrison of San José in 1846.

Under date of January 23, 1891, the deputy collector of the port of New Bedford, Mass., certifies that the records of the customhouse at that place show that George James was one of the crew of the ship Edward, which cleared from that port on the 14th of July, 1845, for a whaling voyage in the Pacific Ocean.

Caleb Slade, David P. Caswell, and Richard Davis, citizens of Bristol County, Massachusetts, testify to claimant's identity, and that he is about seventy years old, feeble, very poor, and dependent for his support upon what his wife earns at dressmaking.

At the first session of this Congress your committee reported favorably upon a bill granting a pension to Charles H. Perry, who also served on the ship Edward at the time referred to, and the bill subsequently became a law.

The facts in this case are the same as in Perry's case, and your committee therefore return the bill, recommending its passage.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

PRENTICE HOLMES.

The next business considered on the Private Calendar was the bill (H. R. 1882) directing the Secretary of War to amend the record of Prentice Holmes and grant him an honorable discharge.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be directed to amend the record of the War Department in the case of Prentice Holmes, late a first lieutenant in Company A, Eighty-sixth New York Volunteers, so as to grant him an honorable discharge from the service as of the date of his discharge as now shown by said record, to wit, as of the 21st day of December, 1863.

The report (by Mr. LANSING) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 1882) directing the Secretary of War to amend the record of Prentice Holmes and grant him an honorable discharge, have examined and considered the same, and report the same back to the House with a recommendation that it do pass.

Said Holmes was a first lieutenant in Company A, Eighty-sixth New York Volunteers, and was discharged from the service by order of the Adjutant-General, dated December 18, 1863, and approved by the Secretary of War, under and by virtue of the action and report of a board convened under the authority of the tenth section of the act of July 22, 1861, and directed to examine into the capacity, qualifications, propriety of conduct, and efficiency of said Holmes, which board was suggested by a complaint made by B. L. Higgins, the captain of his said company, and who was afterwards colonel of the regiment.

The said Holmes has made some showing tending to establish the injustice of the finding as made and the action taken, and also tending to show ill feelings towards him upon the part of an officer and which actuated the proceedings, but to go into this would make Congress merely an appellate or revisory tribunal, which is not, in our opinion, contemplated in such a case, unless perhaps in a very flagrant instance, and in this case it is in no wise necessary to justify the action we suggest. The complaint in this case was based upon two charges:

First. Deficiency in military tactics and knowledge of his duties.

Second. Unfit to command by reason of a want of self-respect—playing cards with enlisted men and no regard for his personal appearance.

A hearing was had upon these charges, in which evidence was taken, which has been before us, and a finding was made by the board adverse to the first charge, and, in effect, a part of the second, but finding that he was "guilty of a great want of self-respect in playing cards with enlisted men of his regiment," which men it appears were his old neighbors and friends; and then the board made this finding and recommendation, "but in consideration of the good examination passed, recommend that instead of dismissal he be reprimanded in general orders."

This report was disapproved by Brigadier General Ward, commanding, on account of the "total lack of self-respect" shown, and his dismissal was recommended, which was transmitted by Major General French to Major General Meade with the indorsement, "The opinion of the board approved," which was forwarded by General Meade to the Adjutant General of the Army with a recommendation that he be dismissed, but without reason or comment, and this in turn was submitted to the Secretary of War by the Adjutant General "with the recommendation that the adverse decision of the board \* \* \* be approved, and that he be discharged from the service;" which was accordingly done.

It can not fail to strike any one that it is highly probable that by mistake or inadvertence the word discharge was used. It would seem that the penalty was out of keeping with the offense and that there was really no reason to change the recommendation of the board, and that now after he has rested so many years under the stigma and ignominy of a dishonorable discharge that he may well be relieved, and especially so as we are advised that the application is not made as a basis for any claim for pension or otherwise as against the Government, but merely as an act of justice to one who served his country and desires an honorable record.

As having a strong bearing upon the matter and as going far in the direction of itself justifying the proposed action, we will state that before the time of the commencement of these proceedings Lieutenant Holmes had desired to resign and had twice tendered his resignation, urging important private business as a reason, which was not accepted. That upon his leaving the regiment he received a strong testimonial and expression of regret from no less than eighteen of the commissioned officers of the regiment, being, as claimed by Holmes, every one present except one, and the same from a large number of noncommissioned officers and privates of the regiment, and Capt. B. L. Higgins. The complainant has written two letters, one to Hon. FRANK HISCOCK and one to the Committee on Military Affairs of the Forty-ninth Congress, in his favor and urging that relief be granted him and saying that his discharge must have been an error.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ELIZABETH TRUAX.

The next business on the Private Calendar was the bill (H. R. 9429) for the relief of Elizabeth Truax.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Elizabeth

Truex, dependent sister of Henry Truex, late a private of Company C, in the Twenty-second Regiment of Indiana Volunteers, and to pay her the sum of \$18 per month.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9429) for the relief of Elizabeth Truex, submit the following report:

Elizabeth Truex is the sister of Henry Truex, who enlisted in Company C, Twenty-second Regiment Indiana Volunteers, December 23, 1863, and was discharged June 20, 1865, upon surgeon's certificate of disability by reason of epilepsy due to an injury of head received in action at Kenesaw Mountain, June 27, 1864. He was a pensioner at the rate of \$20 per month at date of his death in 1870, and died from the effects of said injury. Henry Truex was never married and there is no one now receiving any pension on account of his services and death.

The proposed beneficiary, as fully shown by the evidence on file, has been an invalid ever since infancy, and is now, and has been for years, unable to walk across the floor without the aid of a crutch or the assistance of another person. The soldier provided for her maintenance while living. She lives around among her friends and relatives and is dependent upon their charity, having no property or income from any source.

The case is one of merit and comes within the well-established rules of the House. The accompanying bill is therefore returned with the recommendation that it do pass, amended, however, by striking out the word "Truex" wherever the same may appear in the same on the title thereof, and inserting therein instead the word "Truax;" also by striking out the word "eighteen," in line 7, and inserting therein instead the word "twelve."

The amendments recommended in the report were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN E. A. STEPHENS.

The next business on the Private Calendar was the bill (H. R. 13038) to increase the pension of John E. A. Stephens.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and hereby is, authorized and required to increase the pension of John E. A. Stephens, of Van Buren, Grant County, Indiana, late a private in Company E, Nineteenth Regiment of Illinois Volunteers in the war of the rebellion, and to pay him a pension at the rate of \$72 per month, in lieu of the pension he is now receiving.

The amendments recommended by the committee were agreed to.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13038) granting an increase of pension to John E. A. Stephens, submit the following report:

The claimant herein, at the age of about nineteen years, a cooper by trade, enlisted and was mustered in at Chicago, Ill., on July 3, 1861, as a private in Company E of the Nineteenth Illinois Volunteer Infantry, in the war for the Union, and was honorably discharged therefrom on January 31, 1863, on a surgeon's certificate of disability which states that the claimant was wounded at Murfreesborough, Tenn., on December 31, 1862, which rendered him a partial paralytic and incapable of performing the duties of a soldier.

The claimant was pensioned as follows, to wit: At \$8 per month from January 31, 1863; at \$15 per month from June 6, 1866; at \$18 per month from June 8, 1872; at \$24 per month from March 3, 1883; and at \$30 per month from August 4, 1886, which is the rate at which he is now pensioned.

Subsequently applicant asked a further increase, which was disallowed September 20, 1889, on the ground that he was not entitled to any higher rating than \$30 per month under the act of August 4, 1886.

The evidence, including the surgeon's certificate of disability, on which he was discharged, clearly shows that the claimant was wounded at the battle of Stone River or Murfreesborough, Tenn., in action and in the line of duty, on December 31, 1862. The applicant was there wounded in three distinct places, namely: In the left shoulder by a musket ball, which has never been removed; in the right leg by a musket ball which broke the fibula, and in the left leg by a musket ball, which severely injured it.

Applicant was examined March 23, 1887, at Logansport, Ind., by the full medical board, which report as follows, to wit:

"Right leg: Missile entered outer side of leg at head of fibula, passed downward and backward, and came out at lower part of belly of gastrocnemius. Fibula is disarticulated and movable at its upper end. Scar of exit is 2 inches long, greatly depressed and adherent, and tissues are dragging on motion, with loss of power and motion in limb. Disability ten-eighths, third grade.

"Left leg: Missile entered inner side of leg, 2½ inches below knee, passed downward and backward behind the bones, and came out at lower portion of belly of gastrocnemius. Muscle scars are neither dragging, adherent, nor tender. Disability one-fourth.

"As to shoulder:

"Missile entered from behind, striking left shoulder just below the center of spine of scapula, with no scar of exit. Scar is 2½ inches long, with a transverse diameter of 1 inch, deeply depressed and adherent. All the muscles of shoulder, arm, and forearm are greatly atrophied. Arm measures 1 inch less than its fellow of corresponding points.

"There is a great loss of power. He can, by a great effort, pick up a pencil or small object with the thumb and left finger, but can make no use of them when in his hand. He is unable to use the hand in eating, as he can, by bending the head forward, by a great effort only get the hand to the mouth. Has fairly good motion to elbow, but motion to shoulder is limited to about 20 degrees in any direction. There is almost complete paralysis of the sensory and motor nerves of the hand, which is swollen and puffy. No ankylosis of any of the joints. Loss of motion evidently depends on injury to nerves and partial paralysis. He is unable to use the hand in eating, dressing, or for any other purpose, and the disability is due to injury of the brachial plexus of nerves from gunshot wound of shoulder. There is total disability of the left hand."

A subsequent examination by the full medical board at Fort Wayne, Ind., July 31, 1889, fully confirms the previous report herein, and adds that the shoulder wound is painful on slight pressure, and rates him at second grade.

The evidence of applicant and his neighbors show that he is about forty-nine years of age, wholly unable to labor, has a family, can walk but little, and that with the aid of a cane or crutch, owns 60 acres of poorly improved land near Van Buren, Grant County, Indiana, of the value of \$1,000, but mortgaged for \$250, has to hire the work done on his said land, which barely pays expenses of running and taxes, is indebted otherwise about \$300, suffers constantly from pain caused by his wounds, and that his present pension is inadequate to his support.

Therefore your committee recommends the passage of the bill, amended, however, by striking out the word "seventy-two," in line 8, and by inserting the word "forty-five" in lieu thereof; and amended also at the close of the bill by adding after the word "receiving" the further words "and also subject to the provisions and limitations of the pension law as to the right of increase

of pension for any increase of the disabilities for which he is now pensioned," so as not to prevent his right to increase for increase of disability.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

FRANCES E. BIDWELL.

The next business on the Private Calendar was the bill (H. R. 10323) to pension Frances E. Bidwell.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Frances E. Bidwell, daughter of Daniel D. Bidwell, late brigadier general United States volunteers, and to pay her a pension at the rate of \$30 per month.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10323) to pension Frances E. Bidwell, submit the following report:

Frances E. Bidwell is the invalid daughter of the late General Daniel D. Bidwell, who entered the service September, 1861, as colonel of the Forty-ninth New York Volunteers, was promoted to brigadier general, and killed in battle at Cedar Creek, Va., October 19, 1864. His widow was a pensioner until her death on November 4, 1887, at the rate of \$50 per month, under special act of Congress approved July 27, 1868.

General Bidwell was a most gallant officer.

General L. A. Grant, Assistant Secretary of War, says in a communication to this committee:

"I knew General Bidwell quite well, and served in the same division with him nearly all the time of his service. I knew him when he was commanding his regiment and afterwards when in command of his brigade. He was a fine gentleman and an excellent soldier. There were few, if any, more excellent, faithful, and earnest officers in the Army than General Bidwell. He was always quiet in demeanor, but faithful, energetic, and gallant in action. He brought his regiment up to a high state of efficiency and discipline, and after he was placed in command of a brigade it did excellent and distinguished service."

"I saw him in several engagements, particularly at the battle of Spottsylvania (the Bloody Angle) and at Cedar Creek, where he was killed. On each occasion he was conspicuous for his presence and gallantry. At Cedar Creek he commanded the brigade which held the left of the division, known as Getty's division, and which first held the enemy in check and repulsed repeated attacks. His brigade was under very severe fire from the enemy's artillery at Middletown, and it sustained a part of the infantry attacks. I was in command of the division at the time and saw him when he fell. He fell in the full discharge of his duty and while successfully resisting the enemy's advance. He gave his life to his country."

Miss Bidwell is now a confirmed invalid and unable longer to support herself by her own efforts, as appears from the statement of Dr. W. F. Corey, which is as follows:

"Miss Frances E. Bidwell came under my professional care in April, 1889. She was suffering from an aggravated form of laryngeal phthisis. By the administration of the usual remedies and the most careful nursing there was some improvement, but at this date there is nothing in her condition to encourage her or her friends to think that she will ever recover that degree of health which will enable her to support herself or even to contribute toward it. Constant medical attention and most careful nursing will be required to prolong life."

Without property or income from any source and unable to provide for herself, she now asks that the Government, in whose defense her father lost his life, allow her a small pension.

Your committee are of the opinion that it should be done, and therefore return the accompanying bill with the recommendation that it do pass, amended, however, by striking out the word "thirty," in line 7, and inserting therein instead the word "twelve."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MYRA E. LAKIN.

The next business on the Private Calendar was the bill (S. 3995) granting a pension to Myra E. Lakin.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Myra E. Lakin, widow of John W. Lawrence, late a second lieutenant Company C, Fifth New Hampshire Volunteers.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3995) granting a pension to Myra E. Lakin, submit the following report:

The Senate report clearly and fully sets forth the facts, and are hereby adopted by your committee.

#### SENATE REPORT.

The Committee on Pensions, to whom was referred the bill granting a pension to Myra E. Lakin, have examined the same and report:

The facts in this case are fully set forth in the appended affidavit of Mrs. Lakin. Precedents for action in such cases are numerous. The pension was allowed under the general law to the soldier's children, but owing to her remarriage, the widow is not eligible. It is plain that she has supported herself, brought up her child, and partially supported her second husband since the soldier's death. Her son is now a young man, just entering business life, and not able to support both himself and his mother.

At no time since the soldier's death has Mrs. Lakin been dependent on or supported by anyone except herself.

The bill is reported favorably with the recommendation that it do pass.

#### AFFIDAVIT.

I, Myra E. Lakin, of Claremont, in the county of Sullivan and State of New Hampshire, depose and say that I was married to John W. Lawrence, late of Company C, of Fifth New Hampshire Volunteers, on the 21st day of July, 1866. He died September 18, 1867. He died leaving property in all amounting to less than \$100. I had one child by him, William H. Lawrence. I had no property of my own, but by my personal labor I supported myself and child without assistance from friends or anyone for nearly five years.

I then understood that I was not entitled to any pension, because he died of typhoid fever, and did not know, as was after found to be the fact, that the fever was induced by disease contracted in the army service, and on such ac-



count did not apply for pension until June, 1880. On account of the hardship in supporting myself and child, dressmaking my only business, and in part to relieve my hardships, I accepted the hand of and married Loomis B. Lakin January 3, 1872. By such marriage I got a house to live in and a man thirty-eight years older than I was to support in part, and after three years of married life with him he fell from a building and disabled himself for the rest of his life, and necessitated my special care of him and obliged me to support myself and do for my child all I could.

My last husband died November, 1889, of old age. I am now dependent upon my personal earnings for support, though my son has at times done something to assist me. He is now in New York, and his business is less remunerative than heretofore, and I can not rely upon him for much assistance in the future.

It is certain that had I been fortunate enough to get the pension to which I was by law entitled before marriage with Mr. Lakin I should never have married the second time.

MYRA E. LAKIN.

STATE OF NEW HAMPSHIRE, Sullivan, ss:

Then personally appeared Myra E. Lakin and made oath that the foregoing statement by her subscribed was true.

EDWARD D. BAKER,  
Justice of the Peace.

MAY 7, 1890.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ELIZABETH JOHNSON.

The next pension business on the Private Calendar was a bill (H. R. 5199) granting a pension to Elizabeth Johnson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Johnson, foster mother of John Johnson, of late Company H, Seventy-first Pennsylvania Volunteers.

The report (by Mr. CRAIG) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5199) granting a pension to Elizabeth Johnson, submit the following report: That Elizabeth Johnson is the stepmother of John Johnson, Company H, Seventy-first Pennsylvania Volunteers, who was killed at Balls Bluff in October, 1861; that she married the father of the soldier when he was three years of age, and was a mother to him until his enlistment in 1861; that said John Johnson was never married and left no child or widow; that the father of said soldier died July 25, 1880; that he was an invalid from about 1864; that the beneficiary has no property, is in very poor and entirely dependent circumstances, and has no one legally bound to support her.

Your committee recommend the passage of the bill amended so as to read "stepmother" instead of "foster mother."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

CAROLINE J. CRAFT.

The next business on the Private Calendar was the bill (H. R. 12525) granting a pension to Caroline J. Craft.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Caroline J. Craft, a sister of David L. Craft, late of Company D, Eighth Pennsylvania Reserves, and Company K, Sixth Regiment United States Infantry, deceased, upon the pension rolls at the rate of \$25 per month.

The report (by Mr. CRAIG) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12525) granting a pension to Caroline J. Craft, submit the following report:

Caroline J. Craft is the dependent sister of Lieut. David L. Craft, who enlisted July 21, 1861, in Company D, Eighth Pennsylvania Volunteers, and was appointed second lieutenant, Signal Corps, October 20, 1863, and was mustered out September 4, 1865; appointed second lieutenant, Sixth United States Infantry, August 24, 1867, and was promoted to be first lieutenant October 31, 1875.

He was "incapacitated for active service because of obesity and mental impairment, incident to the service," as stated by a medical examining board on March 4, 1889. He died in the Government Hospital for the Insane, Washington, D. C., November 12, 1890. He never had wife or child.

The beneficiary was left by the death of her mother in 1854 and father in 1862 dependent upon the soldier for her support.

There is before your committee a large amount of evidence that soldier did regularly contribute to her support; that he in part educated her; that her health failed when at school, and she has since been and is still a confirmed invalid, unable to earn anything for support. She is forty-five years of age and very poor, and has no relative able or legally bound to support her.

Your committee recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MORGAN D. LANE.

The next business on the Private Calendar was the bill (H. R. 13307) to place on the pension roll the name of Morgan D. Lane.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized and directed to place on the pension roll the name of Morgan D. Lane, late of Company I, Fifth Regiment of Michigan Volunteer Cavalry, subject to the limitations and provisions of the pension laws.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13307) granting a pension to Morgan D. Lane, submit the following report:

The claimant under this bill enlisted August 22, 1862, at the age of fifteen years, and served until June 24, 1865, when he was honorably discharged on account of the close of the war. In his declaration for a pension he says he contracted rheumatism during the winter of 1864 and 1865; that he felt it every few days, especially at the approach of rainstorms. He is unable to furnish any corroborating testimony in support of his statement, as he was not treated in hospital; but he does produce incontrovertible evidence that he was taken down about sixty days after his discharge, while at school, and that he has suffered ever since.

Dr. Levi A. Barber testifies that he treated him in the fall of 1865, and that he was confined to his bed for nearly three months. The trouble consisted of a gathering in his right ear and at times his life was despaired of.

"I diagnosed his case at the time as being the result of camp life and exposure, and so told the claimant and his family. I would think that the cause of his sickness had been some time in bringing about the results in the case."

This sickness left him broken down and was followed by rheumatism, which has continued ever since. The testimony of continuance in a severe form is complete, and consists of numerous affidavits of physicians who have treated him and of neighbors who have known him intimately.

The medical examining board report him badly disabled with rheumatism and heart disease. His military record seems to be a clean and honorable one. When only seventeen years of age he captured the flag of the rebel gunboat Nansmond. The conclusion is, it appears to your committee, irresistible that his disease and his present unfortunate condition are the result of his army service, and they therefore recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MILLIE A. RITENOUR.

The next pension business on the Private Calendar was the bill (H. R. 10683) granting a pension to Millie A. Ritenour.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Millie A. Ritenour, a hospital nurse in the war of the rebellion, on the pension rolls, and pay her a pension at the rate of \$20 per month, subject to the provisions and limitations of the pension laws.

The report (by Mr. LANE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10683) granting a pension to Millie A. Ritenour, submit the following report:

The complainant was an army nurse in the Army of the rebellion for over two years, and the testimony shows that she rendered efficient and faithful services to the sick and wounded soldiers during all that time. She is now poor and has no means of support, and as a result of her services as nurse she is now unable to do any labor whatever, and is depending on charity for her support.

Your committee recommend that the bill do pass, amended, however, by striking out the word "twenty," in line 6, and inserting in lieu thereof the word "twelve."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ALFRED REBSAMEN.

The next business on the Private Calendar was the bill (H. R. 7466) to remove the charge of desertion against Alfred Rebsamen.

The bill was read as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion against Alfred Rebsamen, late of Company A, Fifty-ninth Regiment Illinois Infantry, and issue to him an honorable discharge from the Army of the United States.

The report (by Mr. WILLIAMS, of Ohio) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 7466) to remove the charge of desertion against Alfred Rebsamen, submit the following report:

The records of the War Department show that "Alfred Rebsamen, a private of Company A, Fifty-ninth Illinois Volunteers, was enrolled as a substitute at Alton, Ill., December 29, 1864, to serve one year, and is properly accounted for on muster rolls of company until June 19, 1865, when he is reported as deserted at Cairo, Ill."

The soldier states that during the month of August, 1864, he entered the service of First Missouri Cavalry Battalion and remained in said service until the latter part of November, 1864; that on the 24th day of December, 1864, he was mustered into service at Alton, Ill., as a substitute in Company A, Fifty-ninth Illinois Volunteers, which statements are corroborated by late First Lieut. Eckhardt Gottschamen, of Fisher's company, First Cavalry Battalion of Missouri, who swears to the facts set forth by the soldier relative to his service in the last-named organization. The latter statement is corroborated by the quotation above from the records of the War Department.

The further statement of the soldier is that on the 10th day of June, 1865, while in camp at Nashville, Tenn., he received a letter stating that his brother was very sick in a hospital at St. Louis, Mo.; that being unable to speak the English language, he called a comrade and requested him to go to Captain Hale, of his company, to ask permission to go to St. Louis, Mo., and was told by the captain they would soon move towards St. Louis; that when they arrived at Cairo, Ill., Major McGibbon handed him a slip of paper, saying he could go to St. Louis; that he went, and when he arrived he found it was a leave of absence for five days; that his brother died the next day after his arrival, and he was forced to accompany the corpse to his mother's home at Herman, Mo.; this took several days, and upon his return to Cairo he found that his command had again moved; that he remained at Cairo ten days doing duty awaiting transportation, and when it came he went to Memphis, Tenn., where he did guard duty about thirty days, when he received orders to report at hospital at St. Louis, Mo.; that he went to hospital at said place, and remained a few days, then went to Herman, Mo.; that on December 8, 1865, he was duly and honorably discharged from the service, but his discharge certificate was destroyed by fire on December 28, 1868.

These statements of soldier are uncorroborated, but Hon. E. H. FUNSTON vouches to this committee the very high character of the soldier as a citizen and for truthfulness among his neighbors and with those best acquainted with him.

Capt. F. C. Ainsworth, of the record and pension division of the War Department, in his report to the Secretary of War, says:

"On February 6, 1889, Hon. P. B. PLUMS, United States Senator, was informed by the Secretary of War that as this man did not serve six months prior to May 1, 1865, the charge of desertion can not be removed under the law applicable to the case, and that his claim of prior service in Company B, of Major Fisher's Battalion of Missouri Cavalry, can not be accepted as bringing his case within the purview of act of Congress approved July 5, 1864, as such organization was distinctly a city or State organization and never in the service of the United States."

"On March 5, 1890, Hon. E. H. FUNSTON, member of Congress, was informed that the application for removal of the charge of desertion in this case has been repeatedly denied, as the case is not covered by existing law, act of Congress approved March 2, 1889, as he did not serve six months prior to May 1, 1865."

In view of the fact that the soldier was in the service of the United States but ten days less than six months, that would have entitled him to an honorable discharge under the acts of Congress approved July 5, 1864, and March 2, 1889, and the further fact that the soldier had a service of about three months in the First Mis-

souri Cavalry Battalion, and also that the soldier's ignorance of the English language operated against him in finding his command when he sought to return thereto, the committee report this bill favorably and recommend that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

NANCY SHOTWELL.

The next pension business on the Private Calendar was the bill (H. R. 10432) granting a pension to Nancy Shotwell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Mrs. Nancy Shotwell, late widow of Arthur Stotts, a soldier in the war of 1812, and pay her a pension subject to the rules and limitations of the pension laws.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10432) granting a pension to Nancy Shotwell, have considered the same and report:

Mrs. Shotwell's late husband, Arthur Stotts, was a private in Capt. Richard Hooker's company of Ohio volunteers, and served from July 30, 1813, to September 5, 1813, in the war of 1812. Arthur Stotts and the claimant were married November 20, 1832, and Stotts died October 1, 1868. On the 8th of January, 1873, the claimant was remarried to one Joseph Shotwell, but he failed to provide for her and she left him about two years after their marriage. Shotwell is now dead, and the claimant, who is about seventy-seven years old, has not again remarried.

Mrs. Shotwell made application to the Pension Bureau for a pension on account of her first husband's service in the war of 1812, but the same was rejected on the ground of her remarriage. It is reliably shown that the claimant is very poor and needy; she is dependent for support upon others not legally bound to her support.

There being numerous precedents for this legislation, and in view of the claimant's great age and necessitous circumstances, your committee recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. YODER, the vote by which the bill was passed was reconsidered, and the bill was amended by adding after the words "subject to the rules and limitations of the pension laws" the words "and pay her a pension at the rate of \$12 per month." As thus amended the bill was again passed.

JOHN ZEDEKER.

The next business on the Private Calendar was the bill (H. R. 6340) for the relief of John Zedecker.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and is hereby, authorized and directed to remove the charge of desertion from the record against John Zedecker, late private in Company E, Thirty-second Ohio Volunteer Infantry, and that he issue an honorable discharge, to date January 1, 1863, to said soldier.

The report (by Mr. WILLIAMS, of Ohio,) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 6340) granting an honorable discharge to John Zedecker, submit the following report:

John Zedecker enlisted as a private in Company E, Thirty-second Regiment Ohio Volunteer Infantry, when but a mere boy, under eighteen years of age. He was in delicate health and physically unable to undergo the hardship of the service. He was enrolled July 27, 1862, and was taken prisoner at Harper's Ferry, Va., on September 15, 1862, and the hardship of prison life was more than he could endure and almost cost him his life, and reduced him to a mere skeleton. He was paroled on January 20, 1863, and sent to Cleveland, Ohio, where he was released from military service by a writ of habeas corpus issued from the common pleas court of Richland County, Ohio, on the 23d day of February, 1863. He has ever since been a physical wreck. He is now in destitute circumstances and an object of charity.

The committee recommends the passage of the bill with the following amendment:

After line 8 add, "in conformity with a decree of the common pleas court of Richland County, Ohio, issued on the 23d day of February, 1863, relieving him from military service on a writ of habeas corpus on account of his minority."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

GEORGE W. JENKINS.

The next business on the Private Calendar was the bill (H. R. 13095) granting a pension to George W. Jenkins.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Jenkins, late a private in Company G, Forty-third Regiment Provisional Enrolled Missouri Militia.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13095) granting a pension to George W. Jenkins, submit the following report:

Claimant was a member of Company G, Forty-third Regiment Provisional Enrolled Missouri Militia. The colonel of claimant's regiment makes affidavit that when his command was not in actual campaign the soldiers were given leave to go to their homes and remain until called for, or until expiration of leave of absence. That while George W. Jenkins, with whom he was at that time and is now well acquainted, was on such leave, on or about the 8th day of July, 1863, claimant was stopping overnight with a friend and Union man named Burns; a returned Union soldier was also stopping with them. About midnight Joe Hart, a notorious guerrilla, with his band of five other men, came and represented themselves as Union soldiers and were unopposed as such. Soon after they were admitted to the house they opened fire, killed Henry, the returned soldier, badly wounded Burns, and the claimant was shot through the head and jaw, also received a wound in the shoulder.

Other witnesses testify to substantially the same facts. Missouri Militia is not a pensionable service under existing law, but as the soldier was considered in line of duty by his officers at the time he received his wounds and was attacked by the enemies of his country on account of his loyalty to the Union, your committee are inclined to regard him as in actual engagement, the same as if he were so engaged with his command, and therefore report favorably and recommend that the bill do pass.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARY C. BROUGHTON.

The next business on the Private Calendar was the bill (H. R. 13442) granting a pension to Mary C. Broughton.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension rolls the name of Mary C. Broughton, widow of Capt. H. H. Hart, late of Company C, Sixty-first Regiment of New York Volunteers, and pay her a pension of \$8 per month.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13442) granting a pension to Mary C. Broughton, widow of Capt. H. H. Hart, having examined the same, report the same back to the House with a recommendation that it do pass.

The facts in this case, which are well supported by affidavits, accompanied by a largely signed petition of citizens of De Witt, Iowa, where she resides, show the following facts to exist:

That she was married to Captain Hart, of Company C, of the Sixty-first Regiment of New York Infantry, on the 28th day of December, 1865, and lived with him until 1869, at which time he died, leaving said widow and two young daughters, the immediate cause of his death being hemorrhage of the lungs, believed to have been produced by weakness, exposure, and wounds incident to his military service, which was of some four years' duration.

That at his death he left his family without any means of support, and that his said wife cared for and brought up the said children by her own exertions and labor; that she is now quite advanced in age and has lost her health and is without any means of support. The case is one that would clearly bring her within the provisions of the act of this Congress approved June 27, 1890, were it not for the fact of a remarriage in 1872, when she married one William Broughton, who died in 1876, leaving no means, after which time she again supported herself and her two children by her own labor.

The fact of this marriage precludes the granting of a pension under any existing general law, but her case is entirely within precedent and is in fact itself meritorious.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EDWIN H. DILL.

The next business on the Private Calendar was the bill (H. R. 12145) granting an increase of pension to Edwin H. Dill.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension, subject to the provisions and limitations of the pension laws, of Edwin H. Dill, late a private in Company K, Twenty-third Regiment Ohio Volunteer Infantry, to \$30 per month.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12145) granting an increase of pension to Edwin H. Dill, submit the following report:

The claimant was a faithful soldier, serving more than three years in Company K, Twenty-third Regiment Ohio Volunteer Infantry. He was granted a pension under the general law of \$4 a month for disability arising from rheumatism. He applied for increase on the ground of amputation of left leg by reason of ulcers caused by varicose veins resulting from his rheumatism. His application was rejected on the ground that his varicose veins and ulcers did not result from his rheumatism.

The only surgeons testifying in the case from actual knowledge of his condition are two gentlemen who were familiar with his condition for years, and who testify that the varicose veins and ulcers were caused by rheumatism. The only counter testimony consists of opinions of surgeons without knowledge of his case prior to the appearance of the varicose veins.

It seems to the committee that the testimony of those having actual knowledge should have more weight than mere theory, and giving the benefit of the doubt, if any can be said to exist, to the soldier, we recommend that the bill do pass.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN D. TERRY.

The next business on the Private Calendar was the bill (H. R. 13173) granting an increase of pension to John D. Terry.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized and directed to increase the pension of John D. Terry, formerly a sergeant of Company E, Twenty-third Regiment of Massachusetts Volunteers, and also a first lieutenant and regimental quartermaster Thirty-fifth Regiment United States Colored Troops, to \$45 per month; and such amount shall be paid him for arrears as would have been due him if his application for an increase had been granted him by the Commissioner of Pensions.

The report (by Mr. TURNER, of New York) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13173) granting an increase of pension to John D. Terry, submit the following report:

That claimant enlisted as sergeant of the Twenty-third Massachusetts Volunteers in 1861, and received a gunshot wound of left leg at the battle of New Berne, for which he was pensioned at the rate of \$30 per month; that in 1863 he re-entered the service as lieutenant of Thirty-fifth United States Colored Troops, and on Folly Island suffered an attack of typhoid fever, as a result of which he incurred nearly total deafness of left ear, partial blindness, and rheumatism.

The existence of these injuries is shown by medical examination in Pension Office, and he is rated at fifteen-eightieths thereon. Evidence filed with this committee shows continued existence of these disabilities and increasing impairment of vision.

In view of the above and the fact that under existing law he can obtain no further relief in Pension Office, your committee recommend that the bill do pass, amended, however, by striking out all after the word "month," in line 8.

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.



JOHN BRITTON.

The next business on the Private Calendar was the bill (H. R. 13041) increasing the pension of John Britton.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to pay John Britton, late captain of Company F, Eighteenth Regiment Pennsylvania Volunteer Cavalry, the sum of \$72 per month, in lieu of the pension that he is now receiving; such increase to commence from the date he would have been entitled to it had his increase been allowed under the general pension laws.

The report (by Mr. TURNER, of New York) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13041) granting an increase of pension to John Britton, submit the following report: That the claimant was a captain in the Eighteenth Pennsylvania Volunteer Cavalry, and received a saber cut on the head in an engagement at Hanover, Pa., also a gunshot wound of arm at Buckland's Mills, for which wounds he is now drawing a pension of \$10 per month. That he had gradually failed, and in 1889 he became totally blind and applied for an increase. That the board of surgeons found him suffering from glaucoma and atrophy and that such condition was the result of saber wound, but that the special examiner held that total blindness was not the result of army service and on his report the case was rejected. Your committee believe that the report of the surgeon is entitled to credence, and recommend the bill do pass, amended, however, by striking out all after the word "cavalry," in line 6, and inserting "\$40 per month."

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SOLOMON MAYBERRY.

The next business on the Private Calendar was the bill (H. R. 13329) granting a pension to Solomon Mayberry.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Solomon Mayberry, foster father of George L. Brown, late a private in Company E, Eighth Regiment of Maine Volunteers, and pay him a pension at the rate of \$12 per month.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13329) granting a pension to Solomon Mayberry, submit the following report:

Solomon Mayberry is the foster father of George L. Brown, who died while serving in Company E, Eighth Regiment Maine Volunteers. The wife of said Solomon Mayberry, and foster mother of aforesaid soldier, was granted a pension by special act of Congress approved January 24, 1890, and died November 25, 1890.

The facts in her case are set forth in the report of this committee, which is as follows:

"The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4702) granting a pension to Mary Mayberry, submit the following report:

"Mrs. Mayberry is the foster mother of George L. Brown, whom the records of the War Department show to have enlisted in Company E, Eighth Maine Volunteers, September 7, 1861, and to have died of phthisis pulmonalis (contracted in the service) at Beaufort, S. C., August 2, 1862.

"From the papers on file in the Pension Office it appears that the soldier was adopted by Mr. and Mrs. Mayberry when about eight years of age, and that he lived with them and contributed to their support up to the time of his enlistment, and his letters on file in the Pension Office, written by him while in the service, also show contributions by him to the support of his foster parents during the period of his service.

"Mr. and Mrs. Mayberry are now nearly seventy-nine years of age. Mr. Mayberry is nearly blind, and they are dependent upon the assistance of their neighbors and townsmen, and deprived of the stay and support which they had a right to expect and receive from their adopted child.

"Your committee believe that this is a proper case for special legislation by Congress, and recommend the adoption of the bill, the claim of Mrs. Mayberry having been rejected by the Pension Office simply on the ground that the general laws make no provision in regard to foster mothers."

The proposed beneficiary is now seventy-nine years of age, and on account of loss of both eyes totally incapacitated from doing any labor. It would seem but just that the pension granted, as heretofore stated, to his late wife should be transferred to him for like reasons, and therefore your committee report favorably on the accompanying bill and ask that it do pass.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARTHA J. SPENCER.

The next business on the Calendar was the bill (H. R. 2996) granting a pension to Martha J. Spencer.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$25 per month, the name of Martha J. Spencer, of Trumbull, Ashtabula County, Ohio, by reason of her loss of health occasioned by her services as nurse in the Union hospitals from 1863 to 1865.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2996) granting a pension to Martha J. Spencer, submit the following report:

The proposed beneficiary entered the hospital service as nurse at Camp Chase, Ohio, June 20, 1863, and thereafter served in different hospitals until August 8, 1865, as appears from the report of the War Department. Her health became much impaired by reason of her long and faithful services, and she has been under medical treatment ever since her discharge, suffering from diseases of liver and stomach. Being now well advanced in years, without sufficient income to maintain her properly and pay for medical attendance, she asks that Congress place her on the same footing as others who performed like services.

Your committee, from the evidence before it, believe the case to be meritorious, and therefore report favorably on the accompanying bill and ask that it do pass, amended, however, by striking out the words "twenty-five," in line 6, and inserting therein instead the word "twelve."

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN M'MANUS.

The next business on the Private Calendar was the bill (H. R. 12906) for the relief of John McManus, late private of Company I, One hundred and sixteenth Regiment Pennsylvania Volunteers.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and is hereby, instructed and directed to remove from the records of desertion against John McManus, late private in Company I, One hundred and sixteenth Regiment Pennsylvania Volunteers, and to issue to him an honorable discharge from the military service of the United States.

The report (by Mr. WILLIAMS, of Ohio) is as follows:

The Committee on Military Affairs, having considered the bill (H. R. 12906) for the removal of the charge of desertion against John McManus, late a private in Company I, One hundred and sixteenth Regiment Pennsylvania Volunteers, and having examined the report of the War Department thereon and other evidence filed, state that said John McManus was wounded at the battle of the Wilderness on May 5, 1864, and was treated in hospital until September 27, 1864, when he was returned for duty, but placed again in hospital September 29, 1864, and remained there until he was furloughed October 18, 1864, and failed to return either to hospital or his command.

The evidence shows that the gunshot wound was in his left thigh, and that when he returned home he had a running sore and was under a physician's care until after his regiment was mustered out of the service, and that he is now a cripple from said wound. Also, that he is a very ignorant man, with no knowledge of military law; that he had no intention of deserting the service, and that he was unfit for duty during the remainder of the war.

Your committee recommend the passage of the bill with the following amendment: Add to the bill the following words: "To date from the 18th day of November, 1864."

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARY SWIFT.

The next pension business on the Private Calendar was the bill (H. R. 10865) granting a pension to Mary Swift.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Swift, formerly the widow of Stephen Bradshaw, late a private in Company B, Eleventh Michigan Volunteer Infantry.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10865) granting a pension to Mary Swift, submit the following report:

Mary Swift was the widow of Stephen Bradshaw, late a member of Company B, Eleventh Michigan Infantry, and who died while in the service at Bardstown, Ky., January 23, 1863. Previous to this service he had served three years in regular Army, enlisting in 1835, and was engaged in the Black Hawk and other Indian wars. She was pensioned as such widow until her remarriage with one Jared B. Swift, March 25, 1866. Said Swift died March 12, 1877, leaving her again a widow in dependent circumstances, with no means of support other than her own daily labor. As she is now sixty-four years of age, her ability to earn her own living is very small.

Owing to the many precedents established by Congress your committee recommend her name be restored to the pension rolls, as prayed for in the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARY E. DUBRIDGE.

The next business on the Private Calendar was the bill (H. R. 13205) to grant a pension to Mary E. Dubridge.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mary E. Dubridge, widow of Francis Dubridge, late a private of marines, who enlisted in the Marine Corps on the 23d of January, 1836, and was discharged therefrom January 22, 1840, and served in the Florida war, to be paid a pension at the rate of \$12 per month.

The report (by Mr. HILL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13205) granting a pension to Mary E. Dubridge, have considered the same, and report as follows:

The claimant's late husband, Francis Dubridge, deceased, was a private in the United States Marine Corps, and served from January 23, 1836, to January 22, 1840. During the period of his service he participated in the Florida Indian war.

Charles Bent, J. N. Baird, and Dr. H. C. Donaldson, of Morrison, Whiteside County, Illinois, testify that the claimant is the widow of Francis Dubridge, who died on or about June 20, 1838; also, that Mrs. Dubridge is past sixty years of age, in poor health much of the time, and without means of support aside from manual labor, which she is unable to perform. The claimant resides at Morrison, Ill.

The passage of the bill is recommended.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MRS. RUTH M. ALLEN.

The next business on the Private Calendar was the bill (H. R. 8913) increasing the pension of Mrs. Ruth M. Allen.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Ruth M. Allen, widow of Capt. John Allen, of the Mexican war, the sum of \$20 a month, in lieu of the amount now paid her as pension.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 8913) granting an increase of pension to Mrs. Ruth M. Allen, have considered the same, and report:

Mrs. Allen is the widow of John Allen, who was a sergeant in Captain Pennington's company of the First Kentucky Cavalry in the war with Mexico. Her

present pension of \$3 per month was allowed under the Mexican war service-pension act of January 29, 1887.

Among the papers accompanying the bill, and also in the Pension Office files, are the affidavits of neighbors and acquaintances, showing that Mrs. Allen has no property of any kind, but is wholly dependent upon her small pension for support. She is now sixty years old.

The passage of the bill with an amendment to fix the rate of pension at \$12 per month is respectfully recommended.

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HETTY A. HASSON.

The next business on the Private Calendar was the bill (H. R. 13140) granting a pension to Hetty A. Hasson.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hetty A. Hasson, widow of Alexander B. Hasson, late a surgeon United States Army, and increase her pension from \$25 a month to \$50 a month.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13140) granting an increase of pension to Hetty A. Hasson, have considered the same and report as follows:

Mrs. Hasson is the widow of Alexander B. Hasson, late surgeon United States Army, whose military history in brief is as follows:

He accepted appointment as assistant surgeon United States Army, July 1, 1849; promoted to surgeon August 17, 1861, and was post surgeon at Fort Trumbull, Connecticut, at the time of his death, which occurred March 19, 1877, and was due to disease incurred in the line of his duty. During his long period of service Surgeon Hasson participated in campaigns against hostile Indians and he also rendered arduous and valuable service during the war of the rebellion.

Mrs. Hasson applied for and was granted a pension at the rate of \$25 per month under the general pension laws, but this amount she declares insufficient, in view of her age and disabled condition, to support her comfortably. She states that she endeavored to do something by which to add to her income, but her strength failed with increasing years, and this, with an accident resulting in a fracture of her arm and wrist, has rendered further effort in that direction impossible. She also suffers much from sciatica and nervous prostration and her eyesight is much impaired. She further states that the only property owned by her is a half interest in the house she occupies at New London, Conn., and there is a lien on this interest. This property, with the pension of \$25 per month and the help of friends, constitutes her entire source of income and support. She is now about sixty-four years old.

Mrs. Hasson's statements are fully supported by the affidavit of Jane E. Jemmill, which accompanies the bill.

The passage of the bill with an amendment to fix the rate of pension at \$40 per month is recommended.

The amendment of the committee as stated at the close of the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WALTER SCOTT.

The next business on the Private Calendar was the bill (H. R. 12531) granting a pension to Walter Scott.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll of the United States the name of Walter Scott, formerly a private in Capt. William Robinson's company, General Benjamin Patterson's command, in the Creek war, at the rate of \$20 per month, subject to the rules and regulations governing pensions.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12531) granting a pension to Walter Scott, have considered the same and report:

Walter Scott was a private in Capt. William Robinson's company of Alabama Volunteers, and served from June 2 to August 16, 1836, in the Creek Indian war. The claimant states in his petition that he is now past seventy-one years old, very poor, and too much disabled to support himself by manual labor; also, that it is only a question of time until he will have to go to the poorhouse if he is not granted a pension.

The claimant's statements relative to old age, disability, and dependence upon others for the necessities of life are fully substantiated by the testimony of Eugene Lynch, Charles N. Rear, and Charles P. Reddick, citizens of Nashville, Tenn.

Mr. Scott's post-office address is Nashville, Tenn. Your committee believe this case to be an especially meritorious one, and the passage of the bill is therefore recommended with an amendment to fix the rate of pension at \$12 per month.

The SPEAKER, *pro tempore*. The question is on agreeing to the amendment recommended by the committee.

Mr. WASHINGTON. This is a case similar to the one that we considered a few moments ago. This man served faithfully in the Creek Indian war. He is an old man, seventy-one years of age, and I hope the amendment of the committee will not be agreed to.

Mr. KERR, of Iowa. I consented to the other bill, Mr. Speaker, for the reason that the gentleman said the beneficiary was an invalid and helpless. For that reason I made no objection. But this is purely a service pension, and there is no reason shown why we should not adopt the recommendation of the committee here.

Mr. WASHINGTON. Mr. Speaker, just a word to set myself right. This man, as I have said, is seventy-one years of age and is entirely dependent. The bill was drawn originally for \$20 per month, and he is certainly entitled to that sum.

Mr. WILLIAMS, of Ohio. What is the recommendation?

Mr. WASHINGTON. The bill asks for \$20. The committee recommend \$12 per month.

Mr. WILLIAMS, of Ohio. There are a good many meritorious

cases which have been passed through to-night at less rates, and in my judgment it is a good plan to stand by the committee.

Mr. WASHINGTON. We passed others here to-night to which I made no objection at \$40 or \$50 a month which I am satisfied had no more merit than this.

The SPEAKER *pro tempore*. The question is on agreeing to the amendment recommended by the committee.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

WILLIAM M. BOGGS.

The next business on the Private Calendar was the bill (H. R. 13200) to increase the pension of William M. Boggs.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and directed to place on the pension rolls the name of William M. Boggs, late sergeant major of the company of California Mounted Volunteers commanded by Capt. William A. T. Maddox, of the United States Marine Corps, in the Mexican war of 1846, at the rate of \$25 per month, in lieu of the pension he is now receiving under certificate numbered 9731.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13200) to increase the pension of William M. Boggs, have given the same due consideration and report as follows:

Mr. Boggs served in Captain Maddox's company of California Volunteers in the war with Mexico, and he is now drawing the Mexican war service pension of \$8 per month provided by the act of January 29, 1887.

In his petition for an increase of pension the claimant declares that by reason of severe exposure during said service he contracted a disease of the left hip joint, from which he has suffered ever since, and that of late years he has become so much disabled by said disease that he can not rise or walk without great pain, and he can not do the manual labor necessary to maintain himself. He further declares that he is poor and partially dependent upon others for support.

Drs. E. Haun and Benjamin Shurtleff, of Napa, Cal., swear that they have examined the applicant and find him incapacitated for much manual labor by reason of a disease of the hip.

Mr. Boggs is now about sixty-four years old.

The passage of the bill with an amendment to fix the rate of pension at \$12 per month is respectfully recommended.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MRS. NANCY SPRINGER.

The next business on the Private Calendar was the bill (H. R. 12565) granting a pension to Mrs. Nancy Springer.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and is hereby, instructed to place on the pension rolls Nancy Springer, of Spalding County, Georgia, widow of James M. Springer, late a private in Captain Mann's company of Georgia troops, in the Creek Indian war of 1836, and pay her a pension, subject to the limitations and provisions of the pension laws.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12565) granting a pension to Mrs. Nancy Springer, have considered the same and report:

Mrs. Springer is the widow of James M. Springer, who served from June 3, 1836, to August 18, 1836, in Capt. Young Mann's company of Georgia troops, Creek Indian war. This service is a matter of record in the office of the Second Auditor, United States Treasury.

It is reliably shown that Mrs. Springer is a worthy woman, quite infirm, and in needy circumstances; also that she has no income, and is dependent on public charity for support. Her post-office address is Griffin, Ga.

The bill seems exceptionally meritorious, and its passage (with an amendment to fix the rate of pension at \$12 per month) is respectfully recommended.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

CATHERINE McROBERTS.

The next business on the Private Calendar was the bill (H. R. 12071) granting a pension to Catherine McRoberts.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby directed to place upon the pension roll of the United States the name of Catherine McRoberts, the widow of James McRoberts, of Capt. William Bussell's company of Indiana Mounted Infantry in the Black Hawk war, said pension to be at the rate of \$20 a month.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12071) granting a pension to Catherine McRoberts, have considered the same and respectfully submit the following report:

The claimant's late husband, James McRoberts, was a private in Capt. Lemuel Ford's company, United States Mounted Rangers, and served from July 5, 1832, to July 5, 1833, in the Black Hawk war. The soldier's certificate of discharge and other papers are on file with his bounty-land claims at the Pension Bureau.

The claimant states in her petition for relief that her husband died in Polk County, Iowa, on or about June 20, 1862, and that she has not since remarried. She further states that by reason of disease and the infirmities of age (seventy-two years) she is unable to perform any manual labor by which to support herself and that she is without means, but is dependent upon others not legally bound to her support.

The claimant's statements are fully substantiated by the testimony of Oliver P. Rowles and Louisa Rowles, citizens of Monroe County, Iowa. Her identity as the widow of James McRoberts is further shown by the certificate of a notary public before whom her petition was executed, he having known her for many years. Mrs. McRoberts's post-office address is Carlisle, Warren County, Iowa.



There have been many instances of the granting of pensions by Congress to the soldiers and widows of soldiers of the old Indian wars, and your committee therefore return the bill with a favorable recommendation.

Amend by striking out the word "twenty," in line 7, and inserting in lieu thereof the word "twelve," also by changing the description of the organization in which the soldier served to "Lemuel Ford's company, United States Mounted Rangers."

The amendments recommended by the committee were adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

HENRY ALLHORN.

The next business on the Private Calendar was the bill (H. R. 13337) granting a pension to Henry Allhorn.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be directed to put on the pension roll the name of Henry Allhorn, late a private in Company D, First Regiment United States Infantry, in the Florida war, at the rate of \$30 per month.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13337) granting a pension to Henry Allhorn, have considered the same and report:

Henry Allhorn served from October 15, 1838, to October 15, 1843, in Company D, First United States Infantry, and during a part of this period participated in the Florida Indian war.

In an application for pension filed at the Pension Bureau August 29, 1882, Mr. Allhorn declared that he contracted ague and liver complaint on the Mississippi River in July, 1841. In support of this claim he filed medical and other testimony showing that since his said service he had been in bad health.

Medical examinations held in 1883 failed to show well-marked symptoms of disease of the liver, but did show that he was "not robust," and that he had the appearance of being much older than he actually was.

The claim was rejected June 27, 1883, on the ground that Mr. Allhorn was not at that time disabled by disease of the liver.

Accompanying the bill is the petition of 103 citizens of the towns of Prescott and Oak Grove, Wis., setting forth that the claimant is old, infirm, and needy, and that if he is not granted the relief prayed for he will have to depend upon charity for support. Mr. Allhorn is now over seventy-six years old.

There are many precedents for the allowance of pensions by special act to the survivors of the old Indian wars, and as this case is shown to possess more than ordinary merit, your committee have no hesitancy in recommending the passage of the bill with an amendment, however, to fix the rate of pension at \$20 per month.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

THOMAS J. POLLY.

The next business on the Private Calendar was the bill (H. R. 12457) granting an increase of pension to Thomas J. Polly.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the restrictions and provisions of the pension laws, the name of Thomas J. Polly, late a soldier in the war with Mexico, and pay him a pension at the rate of \$25 a month, in lieu of the amount now paid him under certificate numbered 7627.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12457) granting an increase of pension to Thomas J. Polly, have considered the same and report as follows:

Thomas J. Polly was a private in Company I, First Kentucky Volunteers, and served from May 17, 1846, to May 17, 1847, in the war with Mexico. He is now drawing the Mexican war service pension of \$8 per month.

John Hammond, a citizen of Louisville, Ky., testifies as follows:

"I have been personally acquainted with Thomas J. Polly for the past ten years, and state from personal knowledge that the said Thomas J. Polly has no property or income of any kind, and that he is wholly dependent upon others not legally bound for his support. During my acquaintance he has been wholly disabled, not able to lie in his bed on account of asthma. He is also paralyzed, requiring constant care and attention. He is therefore now lying in a helpless condition in his chair, and would suffer if not for the kindness of friends, upon whom he is a great care and burden."

Mr. Hammond's testimony is fully corroborated by that of Michael Schmith, also a citizen of Louisville, who adds that in addition to his other disabilities the claimant is suffering with deafness, which he contracted during the war with Mexico.

The claimant's present physical condition is also shown by the testimony of Dr. George F. Simpson, of Louisville, Ky.

The passage of the bill is respectfully recommended.

Amend by striking out the word "five," in line 7, it being the intention of the committee to fix the rate of pension at \$20 per month.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

THOMAS T. HICKEY.

The next business on the Private Calendar was the bill (H. R. 12608) granting an increase of pension to Thomas T. Hickey.

The bill was read as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to pay Thomas T. Hickey a monthly pension of \$25, in lieu of the amount now paid him under certificate numbered 11719, as a survivor of the Mexican war.

The report (by Mr. SMYER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12608) granting an increase of pension to Thomas Hickey, have considered the same and report as follows:

Thomas T. Hickey was a private in Company G, St. Louis Legion, Missouri Volunteers, and served from May 18 to August 28, 1846, in the war with Mexico. On September 21, 1882, Mr. Hickey filed an application in the Pension Bureau that while in said service he contracted scurvy and that he has ever since been more or less disabled by said disease.

In support of his claim the applicant filed testimony showing that he contracted scurvy in the service and has been disabled thereby ever since. Upon medical examination the board of surgeons found the claimant suffering from right inguinal hernia, and that there were marks of former abscesses of a brownish color on each leg, but the symptoms of the present existence of scurvy not being very well marked the claim was rejected. Mr. Hickey subsequently made application for the Mexican war service pension provided by the act of January 29, 1887, and the same was granted at \$8 per month.

The claimant asks that his pension be increased, and accompanying his petition is a mass of medical testimony showing that he is a great sufferer from rheumatism and other ailments, and that in consequence thereof he is unable to do any work by which to support himself.

It is further shown that the claimant, who is now about sixty-seven years old, has no property or income of any kind aside from his small pension by which to maintain himself in his declining years.

In view of the claimant's advanced age and needy condition the passage of the bill is recommended with the following amendment:

Strike out the word "twenty-five," in line 5, and insert in lieu thereof the word "twelve," so as to allow a pension at the rate of \$12 per month.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MRS. PHOEBE S. CURTIS.

The next business on the Private Calendar was the bill (H. R. 10874) to pension Mrs. Phoebe S. Curtis.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Phoebe S. Curtis, of Revere, Mass., the daughter of Amos Sylvester, late a private in Captain White's company, war of 1812, and pay her a pension of \$12 a month from the passage of this act.

The report (by Mr. RANDALL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10874) granting a pension to Mrs. Phoebe S. Curtis, have considered the same and report as follows:

Phoebe S. Curtis is the daughter of Amos Sylvester, of Freeport, Me., as certified by William A. Mitchell, town clerk of Freeport, under date of May 23, 1890, and was born December 3, 1808. She was married to Reuben Curtis, as certified by said town clerk, 1828. Reuben Curtis is dead and the claimant is now a widow.

Tristram R. Griffin, aged eighty-six, of Freeport, remembers Amos Sylvester, and lived in the same neighborhood. He recalls that Amos Sylvester went to the war of 1812 and never returned, it being understood that he was killed on the Canada frontier.

Joseph Farwell, aged eighty-four, also of Freeport, recalls that Amos Sylvester went to the war of 1812 and never returned.

Phoebe S. Curtis sets forth in her petition that she is the daughter of said Amos Sylvester, who was a private in Capt. Theo. White's company, of Freeport, Me., and who was killed by the enemy at Burlington, Vt.; that she is poor and indigent, without income of any kind, and entirely dependent on charity for support. She was born in 1808, and hence is now past eighty-two years old.

Albert S. Burnham, chairman of the board of selectmen of Revere, Mass., testifies that she is entirely dependent.

John S. Williams, Third Auditor, states that the name of Amos Sylvester is borne on the rolls of Capt. Thos. R. White's company of Col. Denny Macomb's volunteers from enlistment, December 21, 1812, to December 31, 1813, when discharged at Burlington, Vt.

Mrs. Curtis is the last surviving child of Amos Sylvester. Inquiry at the Pension Office shows that no pension has ever been applied for or granted on account of Sylvester's service. The claimant is now very old and in great need of the relief prayed for.

There are precedents for the proposed legislation, and in view of the claimant's great age and destitution your committee think the passage of the bill fully warranted.

The passage of the bill is recommended.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARION M'KIBBIN.

The next business on the Private Calendar was the bill (H. R. 12278) granting a pension to Marion McKibbin.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Marion McKibbin, widow of David B. McKibbin, late colonel of the One hundred and fifty-eighth and the Two hundred and fourteenth Regiments Pennsylvania Infantry, and brevet brigadier general United States Army, and pay her a pension at the rate of \$100 per month from the date of her husband's death, November 8, 1890.

The report (by Mr. CRAIG) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12278) granting a pension to Marion McKibbin, submit the following report:

This bill proposes to pension Marion McKibbin, widow of the late Maj. and Bvt. Brig. Gen. David B. McKibbin, U. S. Army, at the rate of \$100 per month. Mrs. McKibbin is a lady of high culture and refinement, but completely broken down in health and unable to do anything for her own support. This condition of her health is believed to have been to a great extent brought on by nursing her late husband, who was for many years prior to his death a great sufferer from rheumatism contracted during the war. Her husband's relatives are in no condition to render her assistance, and she has no direct relatives to whom she can turn for aid, and she is practically without a dollar in the world.

Mrs. McKibbin has given two husbands to the country. Her first, Mr. Herring, a young man of great promise, responded to the first call of the Government for troops in 1861, and was killed at the head of his command in one of the early battles of the late war. Her second husband, General McKibbin, commenced his active military career in the Mexican war, for which he was pensioned. He entered the regular Army as a lieutenant in 1855, was captain Fourteenth Infantry, May 14, 1861; colonel One hundred and fifty-eighth Pennsylvania Volunteers November 24, 1862; was mustered out as colonel at expiration of term, August 12, 1863, resuming his place as captain Fourteenth Regulars, and shortly after, while engaged in battle, holding that rank, he was captured and taken to Libby Prison, where he contracted scurvy, from the effects of which he never recovered, and which finally resulted in cancer and death. After he was exchanged he became colonel of the Two hundred and fourteenth Regiment Pennsylvania Volunteers, in which

he served until September 15, 1867, when he was transferred to the Tenth United States Infantry. He was repeatedly brevetted and honorably mentioned in field orders for gallantry in battle.

Now, it is believed that as the disease of which he died in 1890 was contracted while he was a captain, after he had been mustered out as colonel, his widow will only receive the pension of a captain's widow, \$20 per month, under the general law, while nearly all his service during the war was with the rank of colonel and much of the time with the command of a brigade or division.

This is surely an unusual case, one of great merit and hardship. Mrs. McKibbin will probably never see another well day, and in view of the services of her two husbands and her own sufferings and sacrifices incident to their services and her present helpless condition, the country should not allow her to suffer for means of support.

Your committee recommend the bill be passed with an amendment striking out "one hundred" and inserting "thirty."

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

AMBROSE B. CARLTON.

The next business on the Private Calendar was the bill (H. R. 13111) to increase the pension of Ambrose B. Carlton.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls the name of Ambrose B. Carlton, late a corporal in Company F, Second Regiment of Indiana Volunteers, in the Mexican war, and pay him a pension of \$30 per month in lieu of the pension of \$8 per month he is now receiving.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13111) granting an increase of pension to Ambrose B. Carlton, have considered the same and report as follows:

A similar bill was favorably reported to the Senate at this session by the Senate Committee on Pensions and the same is now on the Senate Calendar. The report accompanying the same (Senate 2074) clearly sets forth all the facts in the case, and your committee therefore adopt the same as their report and return the bill, recommending its passage.

[Senate Report 2074, Fifty-first Congress, second session.]

The Committee on Pensions, to whom was referred the bill (S. 4856) granting an increase of pension to Ambrose B. Carlton, have examined the same and report:

The claimant was a soldier in the war with Mexico in 1846-47. He was a corporal in Company F, Second Regiment of Indiana Volunteers, in said service, wherein he remained twelve months, until honorably discharged. He was present and engaged the whole day in the battle of Buena Vista, and slept upon the night after the engagement in the pass of Angostura with the advance of the American line on the march toward the City of Mexico.

It further appears from the testimony of the soldier, from the sworn certificate of Dr. S. M. Burnett, of Washington City, his attending physician, and from the statement of Hon. D. W. Voorhees, Senator from the State of Indiana, that the claimant is suffering from disease of the eyes, now amounting to a very great diminution of sight and threatening to end with total loss of vision; that this disease is of long standing and is growing worse. Dr. Burnett describes the same as "chronic glaucoma," with the vision in the right eye practically of no use and that of the left eye greatly impaired; that there is not only no hope of cure, but that there is sure to be a steady decline of vision.

Senator Voorhees states that he has known the applicant personally forty years, during a portion of which time he was his copartner in the practice of the law; that within the last two years his sight has been gradually impaired; that within the last six months he has been wholly unable to read either printed or written matter, until now at this time he is laboring practically under a total disability, with no present prospect of improvement.

The claimant is sixty-five years old, resides at Terre Haute, Ind., and is now a pensioner under certificate No. 13619, under act of January 29, 1887, for his service in the Mexican war, at the rate of \$8 per month.

It has been the practice, established by many precedents in the acts of Congress, to grant an increase of pension in such cases as these to soldiers of the Mexican war who have become seriously disabled since their service. An act granting a pension to Wells C. Harroll, approved September 23, 1890, was such an act, in which an increase from \$8 to \$30 was granted on account of blindness, the same disability as shown in the case under consideration. There are many other cases of the same character of quite recent date in which special acts of relief have been passed upon similar considerations.

The committee regard this as one of the most meritorious cases of this kind and do therefore recommend the passage of the bill, which proposes to increase the claimant's pension from \$8 to \$30 per month, to be paid to him in lieu of the pension he is now receiving.

Mr. KERR, of Iowa. I should like to ask the reason for the increase proposed by this bill.

Mr. PARRETT. This man was an officer in the Mexican war through its entirety. He is substantially blind, poor, and needy.

Mr. KERR, of Iowa. That is satisfactory.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MERIDY SMITH.

The next business on the Private Calendar was the bill (H. R. 13061) increasing the pension of Meridy Smith, a Revolutionary pensioner.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Meridy Smith, widow of William Smith, a soldier in the Revolutionary war, from \$12 per month to \$30 per month, and pay the same to her, from the taking effect of this act, during her natural life.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13061) increasing the pension of Mrs. Meridy Smith, have considered the same and report:

Meridy Smith is the widow of William Smith, who served as a soldier in the Revolutionary war. She is now receiving a pension at \$12 per month under the general law pensioning widows of the soldiers of the Revolution.

Accompanying the bill is the testimony of William Wise and C. H. Stamps, citizens of Newnan, Ga., setting forth that Mrs. Meridy's pension of \$144 per year is insufficient to afford her a comfortable support, and that she has no property whatever aside from a few poor articles of household furniture and wearing ap-

parel; also that she is now about eighty-five years old and requires the constant attention of another person.

The passage of the bill is recommended.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOSEPH SMITH.

The next business on the Private Calendar was the bill (H. R. 12864) granting a pension to Joseph Smith.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension rolls, subject to the conditions and limitations of the pension laws, the name of Joseph Smith, of Saline County, Illinois, late a soldier in the Second Regiment Tennessee Volunteers in the Florida war, at the rate of \$24 per month.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 12864) granting a pension to Joseph Smith, have given the same due consideration and report as follows:

The claimant, Joseph Smith, was a private in Capt. Jesse D. Finley's company of Tennessee Volunteers, and served from June 13, 1836, to January 14, 1837, in the Florida Indian war.

In his petition for relief Mr. Smith declares that he is seventy-four years old and has no means of support, but is dependent upon charity for maintenance; also that on account of old age and feeble health he can do no manual labor.

His post-office address is Gallatia, Saline County, Illinois.

The claimant's statements are substantiated in every particular by the testimony of Mr. M. W. Pemberton and Hansford Dudley, citizens in good standing of Saline County, Illinois.

The passage of the bill with an amendment to fix the rate of pension at \$12 per month is recommended.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ELIZABETH MOUNTS.

The next business on the Private Calendar was the bill (H. R. 13471) granting a pension to Mrs. Elizabeth Mounts.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place upon the pension rolls the name of Elizabeth Mounts, widow of Joseph Mounts, late of Capt. C. S. Maddings's company, Third Regiment Illinois Volunteers, Black Hawk war, and pay her a pension of \$12 a month.

The report (by Mr. NORTON) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13471) granting a pension to Elizabeth Mounts, have considered the same and report as follows:

The claimant's late husband, Joseph Mounts, deceased, was a member of Capt. C. S. Maddings' company of Illinois Volunteers, and served from June 19, 1832, to August 15, 1832, in the Black Hawk war.

It is reliably shown that Mrs. Mounts is a worthy woman and poor and needy. She resides at Buffalo, Scott County, Iowa.

There are many precedents for the proposed legislation, and your committee therefore return the bill recommending its passage.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ISABELLA RAY M'GUNNIGLE.

The next business on the Private Calendar was the bill (H. R. 7832) granting a pension to Mrs. Isabella Ray McGunnigle.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Isabella Ray McGunnigle, widow of Lieutenant Commander Wilson McGunnigle, United States Navy, upon the pension roll, subject to the provisions and limitations of the pension laws.

The report (by Mr. LEWIS) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7832) granting a pension to Mrs. Isabella Ray McGunnigle, submit the following report:

Mrs. McGunnigle was the widow of the late Lieut. Commander Wilson McGunnigle, United States Navy, who died of disease contracted in the service, April 2, 1863. She was a pensioner until her remarriage with General Marcus A. Reno, who has since died.

Mrs. McGunnigle has no property or income from any source. She is well advanced in years and in feeble health, and consequently unable to provide for her maintenance by her own efforts, and therefore asks that Congress again place her upon the pension roll.

In view of the fact that many widows in like circumstances have received favorable consideration at the hands of Congress, your committee return the accompanying bill, with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN HOLLORAN.

The next business on the Private Calendar was the bill (H. R. 4380) to correct the record of John Holloran, and for other purposes.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy be, and he is hereby, authorized and directed to correct the record of John Holloran, late an ordinary seaman in the United States Navy, and to remove from the pay roll of the vessel Don the charge of desertion made against the said Holloran, and to furnish to him an honorable discharge from the Navy of the United States; and also to authorize and direct the proper disbursing officer of the Navy to pay to said Holloran all arrearages of pay, bounty, commutation of clothing, and so forth, prize money, and so forth, that may be found due to him and to which he is justly entitled on account of his services in the United States Navy.

The report (by Mr. DOLLIVER) is as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 4380) to correct the record of John H. Holloran, and for other purposes, submit the following report:

Holloran enlisted in the Navy in New York on the 27th of April, 1861, served on



United States ship North Carolina for a month and was then transferred to United States steamer Dawn, first as ordinary seaman and afterwards as cook. On the 28th of October, 1861, he was given sick leave and was subsequently honorably discharged by Commodore Dahlgren on account of disability. By reason of a false report he was arrested by the police of this city as a deserter from the Navy, was taken by policemen Thomas J. Fraziers and R. M. A. Fenwick to the commodore at the navy yard early in May, 1862, who declined to receive him, because, as the commodore said, Holloran had been discharged for disability. This fact is sworn to by said policeman Fraziers, as will appear by his affidavit herewith. Both Fraziers and Fenwick are still living in this District.

Holloran's discharge was left by him with Colonel Baker, provost marshal of the District of Columbia, in 1863, and he has not been able to get possession of it since. That he had such a discharge from Commodore Dahlgren appears certain, not only from his own sworn statements, but from the affidavits of Mrs. Mary Conner and Mrs. Mary O'Donnell (both of whom saw and examined the discharge and describe it), and also the affidavit of Policeman Fraziers, above referred to. As to Holloran's having received an honorable discharge from Commodore Dahlgren there can be no reasonable doubt.

That he was not a deserter from the vessel is evidenced by the fact that he was here in the city all the time, doing business publicly in his own name as a grocer, and could be arrested at any time. The reward of \$30 for the arrest of a deserter would have been a sufficient inducement for detectives and others to take him back to the vessel. Many citizens who knew Holloran will testify to the fact that his being here and his being engaged in business was known to the public all the time.

The only evidence relied upon by the Navy Department to sustain the charge of desertion is found on a pay roll in the Fourth Auditor's Office, on which the word "deserted" is written opposite his name with ink different from that of any other entry. There is no record showing desertion in the ship's papers or books or in those of the navy yard. It appears as if the entry was made on the pay roll as the easiest way, in the absence of the books and papers of the ship, to account for his absence.

This entry on the pay roll can in no wise be claimed as a legal charge of desertion. In the absence of any entry in the ship's books and papers it certainly can not be taken as conclusive, and the evidence of many reputable witnesses, with the papers in the case, proves the contrary.

The committee therefore conclude that Holloran was actually honorably discharged by Commodore Dahlgren, that the charge of desertion is not well founded, and for these reasons we recommend the passage of the bill with this amendment, namely:

"Strike out all after the words 'United States,' in the eighth line of said bill."

Mr. BOUTELLE. Mr. Speaker, this bill was reported from the Committee on Naval Affairs. The case was examined by my colleague [Mr. DOLLIVER], but in looking over the bill I notice that, by some carelessness probably, the name of the vessel is printed "Don," and it ought to be "Dawn."

The SPEAKER *pro tempore*. Without objection, the correction will be made by amendment.

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

EVELINE BRITTON.

The next business on the Private Calendar was the bill (H. R. 13459) granting a pension to Mrs. Eveline Britton, mother of John Britton.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Eveline Britton, mother of John Britton, deceased, late a sergeant in Company E, Fourth Regiment Indiana Volunteers, in the war with Mexico, and allow her a pension at the rate of \$12 per month.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 13459) granting a pension to Eveline Britton, have considered the same and report:

The claimant's son, John F. Britton, deceased, was mustered in for the Mexican war, June 10, 1847, as a sergeant with Company E, Fourth Indiana Volunteers. On March 19, 1848, he was elected second lieutenant of the company and was mustered out with that rank July 20, 1848.

Mrs. Britton, in her petition, declares that her son, John F. Britton, died at Evansville, Ind., January 27, 1864, and that she had been dependent upon him for support. Her husband, Thomas P. Britton, died September 9, 1853, and her said son (who never married) supported her comfortably until he died. She further declares that she is 83 years old, without property or income and dependent upon her own labor and the charity of friends for support. She resides at Evansville, Ind.

C. S. Finch, of Spencer County, Indiana, who served in the same company with the claimant's son in the war with Mexico, testifies to the claimant's identity as the mother of the deceased soldier and corroborates her statements in every particular.

Samuel D. Graham, also of Spencer County, Indiana, fully substantiates under oath all of the claimant's allegations.

In view of Mrs. Britton's dependence upon her son during his lifetime and her present great age and destitution your committee are of the opinion that the relief prayed for should be granted.

The passage of the bill is therefore recommended.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

The SPEAKER *pro tempore*. We have now considered all the bills on the printed Calendar. The Chair will now submit the bills that have been reported by the committee to-day.

MARY J. BEST.

Mr. CHEADLE. Mr. Speaker, I ask unanimous consent to discharge the Committee on Invalid Pensions from the further consideration of the bill which I send to the Clerk's desk, and I ask to be permitted to make a statement. Then, if after I make the statement there is any objection, the bill can be withdrawn.

The Clerk read as follows:

A bill (H. R. 13117) granting a pension to Mary J. Best.

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls, at \$12 a month, the name of

Mary J. Best, of Frankfort, Ind., widow of Nathaniel Best, of K Company, First Maryland Volunteers, and K Company, Thirtieth Maryland Volunteers, subject to the provisions and limitations of the pension laws.

Mr. CHEADLE. Mr. Speaker, this is the case to which I referred a few evenings ago as that of a lady living in the town where I live who is in the midst of penury and want. The facts of the case are these: She is the widow of Nathaniel Best, who enlisted in the beginning of the war over in Maryland in the First Regiment of Maryland Volunteers. After the war Mr. Best moved to our town, Frankfort, Clinton County, Ind., where he resided until his death in 1887. At the time of his death he had a claim pending for a pension, but his comrades were scattered all over this country, and he was unable to prove technically the incurrence and continuance of the disability. After he died, his widow, through her attorney, filed her claim for a pension. The next morning after I referred to this case in the House, I received from the Pension Department notice of the rejection of the claim; and these are the grounds upon which it was rejected: That the Department was satisfied that the disability, from the effects of which he died, was not incurred in the line of duty. The facts are these: He was a sober man and never drank at all. He worked as long as he was able to put one foot before the other. He suffered intensely for fifteen years from heart disease and died from it. The heart disease was the result, as he said and believed, and endeavored to prove, of rheumatism incurred in the line of duty over at Monocacy Junction, in the construction of some military works at that point.

These are the facts. He died in absolute want, leaving this widow and six children, at least four of whom are under sixteen years of age, and I ask unanimous consent that the committee be discharged from the further consideration of this bill and to let it be put on its passage.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. CHEADLE. I ask that the words "\$12 a month" be stricken out, and that it read: "subject to the provisions and limitations of the pension laws." The chairman of the committee suggests that this will leave no question as to the children.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARY JANE ALLEN.

The next business considered was the bill (H. R. 13082) granting a pension to Mary Jane Allen.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Jane Allen, widow of George Allen, deceased, late of Company B, Seventy-second Pennsylvania Regiment.

The committee recommended the following amendment:

And pay her a pension at the rate of \$8 a month.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MALINDA PORTER.

The next business on the Private Calendar was the bill (H. R. 13242) granting a pension to Matilda Porter.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension rolls, subject to the conditions and limitations of the pension laws, the name of Matilda Porter, mother of David S. Saldomridge, late of Company D, Fortieth Regiment Ohio Volunteers, at the rate of \$12 per month.

The committee recommend to strike out the word "Matilda" in said bill where the same occurs, and insert in lieu thereof "Malinda;" also that the title be amended so as to conform thereto, and to strike out the word "Saldomridge" and insert the word "Seldomridge."

The SPEAKER *pro tempore*. Without objection, the amendments will be considered as agreed to.

There was no objection, and it was so ordered.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to conform to the bill.

WILLIAM P. HOLL.

The next business on the Private Calendar was the bill (H. R. 9921) granting a pension to William P. Holl.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Holl, the father of Thomas A. Holl, first lieutenant of Company K, Seventy-second Regiment of New York Volunteers.

The committee recommend to amend by striking out the words "Thomas A. Holl" and inserting therein the words "William P. Holl, jr."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## BETSEY JOHNSON.

The next business on the Private Calendar was the bill (S. 1035) granting a pension to Betsey Johnson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Betsey Johnson, widow of Jehiel Johnson, late of Company A, Twenty-fourth Regiment Connecticut Infantry Volunteers.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

## ABSALOM M. WOLF.

The next business on the Private Calendar was the bill (H. R. 13174) to grant a pension to Absalom M. Wolf, of Mier, Ind.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and hereby is, authorized and required to place upon the pension rolls the name of Absalom M. Wolf, of Mier, Grant County, Indiana, the dependent father of William Wolf, deceased, late a private soldier in Company L of the Forty-first Regiment of Indiana Volunteers in the war of the rebellion, and pay him a pension at the rate of \$12 a month.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## EDWARD H. LEIB.

The next business on the Private Calendar was the bill (S. 4474) to increase the pension of Edward H. Leib.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Edward H. Leib, late brevet lieutenant colonel Fifth United States Cavalry, from \$50 to \$100 per month, to date from the passage of this act, on account of increased disabilities rendering constant personal attendance and assistance necessary.

Mr. KERR, of Iowa. Mr. Speaker, it seems to me that that is granting a larger increase than is allowed by law.

Mr. MORRILL. I desire to say that if such a bill passed the committee it was probably amended.

Mr. LAWS. That is as it was passed to-day.

Mr. MORRILL. Was there not an amendment?

Mr. LAWS. There was no amendment at all.

Mr. MORRILL. What were the circumstances in the case?

Mr. LAWS. He rendered valuable service, and is totally disabled, so that he requires the constant attendance of another person.

Mr. WILLIAMS, of Ohio. What pension is he receiving now?

Mr. LAWS. He is receiving \$50 a month, under special act.

Mr. MORRILL. I move to amend by striking out "\$100" and inserting "\$72."

Mr. LAWS. I accept the amendment.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed it was accordingly read the third time, and passed.

## ELIZABETH R. LOWRY.

The next business on the Private Calendar was the bill (H. R. 12722) granting a pension to Elizabeth R. Lowry.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth R. Lowry, widow of Fielding Lowry, late assistant quartermaster, United States Army, at the rate of \$50 per month.

The committee recommend to amend by striking out the word "Lowry" wherever the same may appear in the bill and in the title thereof and to insert the word "Lowry."

Also to amend by striking out all after the word "Army," in line 7, which strikes out the words "at the rate of \$50 per month."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## MRS. JANE HINSDALE.

The next business on the Private Calendar was the bill (S. 3552) granting a pension to Mrs. Jane Hinsdale.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby directed to place the name of Mrs. Jane Hinsdale, late a nurse in Union armies, on the pension roll, at the rate of \$12 per month.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

## WILLIAM G. TIDWELL.

The next business on the Private Calendar was the bill (H. R. 12185) for the relief of William G. Tidwell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and is hereby, authorized to remove the charge of desertion from the record of William G. Tidwell, who served in the late war as a private in Company E, Seventh Regiment of Illinois Cavalry, and afterwards in Company A, First Alabama Cavalry Volunteers.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## JOHN TUCKER.

The next business on the Private Calendar was the bill (H. R. 8159) for the relief of John Tucker, late private, Company F, Thirty-eighth Ohio Volunteers.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he hereby is, authorized and required to remove from the rolls and records in the War Department any and all charges of absence without leave from the military record of John Tucker, late private in Company F, Thirty-eighth Regiment Ohio Volunteer Infantry, war of 1861 to 1865; and said John Tucker is hereby restored to all rights and privileges now withheld from him by reason of any such charge or charges.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## JONATHAN MURPHY.

The next business on the Private Calendar was the bill (H. R. 13284) to correct the military record of Jonathan Murphy, of Grant County, Indiana.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and hereby is, authorized and required to amend the military record of Jonathan Murphy, of Grant County, Indiana, and late a private of Company G of the Fifty-second Regiment of Indiana Volunteers in the war of the rebellion, by removing therefrom the charge of desertion.

The committee recommend to amend by adding at the end of the bill the words "and grant him an honorable discharge from such service of date October 1, 1862."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## RUTH M'ANNALLY.

The next business on the Private Calendar was the bill (H. R. 11118) to place the name of Ruth McAnnally on the pension roll.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Ruth McAnnally, the widow of Alexander Nosmyth, late second lieutenant in Company B, Forty-seventh Regiment of Ohio Volunteer Infantry, subject to the limitations and provisions of the pension laws.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

## SARAH STEEDMAN.

The next pension business on the Private Calendar was the bill (H. R. 12973) granting a pension to Sarah Steedman.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Steedman, widow of Charles Steedman, late a rear admiral in the United States Navy, and to pay her a pension from the passage of this act at the rate of \$50 per month.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

## MRS. S. J. RAYNER.

Mr. BOUTELLE. Mr. Speaker, I desire to call up on behalf of the gentleman from California [Mr. MORROW] the bill (H. R. 4483) granting an increase of pension to Mrs. S. J. Rayner.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Mrs. S. J. Rayner, widow of Rev. James O. Rayner, late chaplain United States Army, from \$20 per month to \$50 per month, to take effect from and after the passage of this act.

Mr. KERR, of Iowa. I ask for the reading of the report in that case.

The report (by Mr. DE LANO) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4483) granting an increase of pension to Sarah J. Rayner, have considered the same and report as follows:

The husband of the claimant, Rev. James O. Rayner, was elected chaplain by post council of administration (act July 5, 1838) and appointed post chaplain U. S. Army April 3, 1867, and served continuously as chaplain U. S. Army until retired, February 19, 1887, by operation of law. He died at his home, San Mateo, Cal., June 18, 1888. His widow, the claimant, is a pensioner at the rate of \$20 per month.

She applies for increase to \$50 per month, declaring that she has no property to afford her any income and that she is in a very helpless condition, unable to walk or to use her hands, from the effects of rheumatism; that she is unable to earn a living or to take care of or dress herself. This throws the burden of support upon her pension, which is insufficient to meet her necessary wants.

Maj. Gen. J. M. Schofield, United States Army, in an indorsement, submitting, under date of December 20, 1889, a communication received by him from claimant to the Secretary of War, states:

"Mr. Rayner was a very worthy and faithful chaplain in the Army. He was stationed at Angel Island, California, several years. In addition to his duties at that post he very cheerfully and zealously fulfilled my wishes by ministering to the prisoners at Alcatraz Island. It appears that his widow is now left helpless and destitute, except for her pension of \$20 per month, barely enough to pay the hire of a servant. I trust Mrs. Rayner's pension may be increased so as to provide her absolute necessities during the short remainder of her life."

Under act of November 23, 1889, A. T. Steigers, acting assistant surgeon, United States Army, at that time stationed at Alcatraz, California, certifies that the claimant is afflicted to such an extent with chronic rheumatism that she is a helpless invalid, unable to walk or use her hands or move without assistance, and that she requires the constant attendance of another person.

In a sworn statement, executed February 5, 1890, John Widney, of Santa Clara, Cal., says he has been the friend, adviser, and assistant of the claimant for years and knows that her income, outside of her pension, is small (perhaps from \$6 to \$9 per month), and but little more than sufficient, with her pension, to pay her nurse and wood bill, leaving her insufficient to purchase the common necessities of life. She is confined to an invalid's chair and can dress and un-



dress herself only with the assistance of others; also that she deserves and needs help.

Robert Wisnom makes substantially the same statement relative to the claimant's physical and financial condition.

Your committee think she should have her pension increased as prayed. The passage of the bill is therefore recommended.

Mr. MORROW (Mr. BOUTELLE having taken the chair as Speaker *pro tempore*). Mr. Speaker, this is a very distressing case. It was presented to me nearly two years ago. I made some investigation of it and found that the husband of this lady while he was an officer in the Army was exceedingly efficient and popular. He died and left his widow in a destitute condition. She has been attacked with rheumatism and is now confined to her bed in San Mateo County, near San Francisco. She is without any means of support and requires the attendance of some person all the time. When the bill was introduced and referred to the committee it was referred to the gentleman from Illinois [Mr. HILL] as a subcommittee. We all know how careful he is in the examination of cases, and in this case he required a very careful presentation of the facts in regard to the lady's destitute condition. He corresponded with people who knew her, and after he had investigated the case for some months he reported to me that he had found it to be an exceedingly meritorious one and he should report it favorably, as he has done. All I can say is simply to indorse what is stated in the report.

The SPEAKER *pro tempore*. The question is on the passage of the bill.

Mr. KERR, of Iowa. Mr. Speaker, of course this is a case that appeals to our sympathy, but if we grant this kind of pension, allowing \$50 a month to one widow in violation of the policy of the provisions of the general law, I do not see why we shall not have to in every other case. It is not the duty of the Government of the United States to provide for those that are destitute all over the country.

Mr. MORROW. The gentleman from Iowa I suppose understands that this lady's husband died in the service.

Mr. FARQUHAR. The report so states.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MRS. ELIZABETH C. CUSTER.

The next pension business on the Private Calendar was the bill (H. R. 12242) for the relief of Mrs. Elizabeth C. Custer.

Mr. CHEADLE. The gentleman from Michigan [Mr. BELKNAP] has agreed that that bill shall go over to a full House, the vote to be taken next Tuesday morning after the reading of the Journal; the previous question to be considered as ordered upon the bill, and debate not to exceed thirty minutes on either side. I ask unanimous consent that that order be made.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Indiana [Mr. CHEADLE]?

There was no objection, and it was so ordered.

MARY T. COOK.

Mr. YODER. Mr. Speaker, I see that House bill 8661, "granting a pension to Mary T. Cook," is still on the Calendar. There has been a Senate bill passed in that case, and I move that the House bill be laid on the table.

There was no objection, and it was so ordered.

Mr. MORRILL. Mr. Speaker, I ask unanimous consent that the reports upon the bills passed this evening be printed in the RECORD.

The SPEAKER *pro tempore*. The Chair is advised, with reference to the bills that came to the desk this afternoon, that it will be impossible to have the reports in those cases printed in the RECORD.

Mr. MORRILL. I understand that those will be exceptions.

There was no objection, and it was so ordered.

Mr. MORRILL moved to reconsider the votes by which the several bills had been passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The House then, on motion of Mr. MORRILL (at 10 o'clock p. m.), adjourned.

#### EXECUTIVE AND OTHER COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following communications were taken from the Speaker's table and referred as follows:

##### IMMIGRATION FUND.

Letter from the Acting Secretary of the Treasury, transmitting information in reply to House resolution which passed the House January 27, 1891, relating to the immigration fund—to the Select Committee on Immigration and Naturalization.

S. H. BROOKS, U. S. ASSISTANT TREASURER AT SAN FRANCISCO.

Letter from the Assistant Secretary of the Treasury, requesting that an appropriation be made to secure the Treasurer of the United States on account of the act of Congress relieving S. H. Brooks, assistant treasurer of the United States at San Francisco—to the Committee on Appropriations.

##### EXPENSES OF UNITED STATES COURTS.

Letter from the Acting Secretary of the Treasury, submitting an estimate of deficiencies in the appropriations for the expenses of the United States courts—to the Committee on Appropriations.

##### JUDGMENTS RENDERED BY THE COURT OF CLAIMS.

Letter of the Assistant Secretary of the Treasury, transmitting a list of judgments against the United States, rendered by the Court of Claims, and requesting an appropriation therefor—to the Committee on Appropriations.

##### SUBSISTENCE OF THE ARMY.

Letter from the Acting Secretary of the Treasury, submitting estimates of deficiencies in the appropriations for subsistence of the Army for the current year—to the Committee on Appropriations.

##### GOVERNMENT BUILDING AT SITKA, ALASKA.

Letter from the Acting Secretary of the Treasury, requesting an appropriation of \$5,000 for repairing the Government building at Sitka, Alaska—to the Committee on Appropriations.

##### PUBLIC BUILDING AT JUNEAU CITY, ALASKA.

Letter from the Acting Secretary of the Treasury, requesting an appropriation of \$7,000 for a Government building at Juneau City, Alaska—to the Committee on Appropriations.

#### MEMORIALS AND RESOLUTIONS OF STATE LEGISLATURES.

Under clause 3 of Rule XXII, the following State memorials and resolutions were presented and referred as follows:

By Mr. PERKINS: Resolution of the senate of the State of Kansas, urging the concurrence of the House of Representatives in the United States Senate free-silver bill—to the Committee on Coinage, Weights, and Measures.

By Mr. STAHLNECKER: Joint resolution of Legislature of the State of New York, favoring the resolution of Representative R. P. FLOWER, for the appointment of a commission to examine and report a plan to increase the New York City post-office facilities—to the Committee on the Post Office and Post Roads.

By Mr. WALLACE, of New York: Joint resolution of the Legislature of the State of New York, favoring an increase in the postal facilities of the city of New York—to the Committee on the Post Office and Post Roads.

By Mr. O'NEALL, of Indiana: Joint resolution of the Indiana Legislature, instructing Senators and requesting Representatives from Indiana to vote for H. R. 319, to pension Union ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. FUNSTON: Resolution of the senate of the State of Kansas, urging the passage of the Senate silver bill—to the Committee on Coinage, Weights, and Measures.

By Mr. SPINOLA: Joint resolution of the Legislature of the State of New York, favoring an increase in the postal facilities of the city of New York—to the Committee on the Post Office and Post Roads.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and a joint resolution of the following titles were taken from the Speaker's table and referred as follows:

A bill (S. 3736) ratifying the action of the commissioners of the District of Columbia and granting permits to extend buildings beyond the building line and regulating the granting of such permits hereafter—to the Committee on the District of Columbia.

A bill (S. 4979) to confirm certain entries upon the Otoe and Missouri reservation lands in Kansas and Nebraska—to the Committee on Indian Affairs.

A bill (S. 4126) for the relief of Eliza Jones, widow of John Jones, deceased—to the Committee on Military Affairs.

A bill (S. 4212) for the relief of Henry E. Rhoades—to the Committee on Naval Affairs.

A bill (S. 4472) for the relief of Charles B. Stivers—to the Committee on Military Affairs.

A bill (S. 4754) to amend act authorizing Choctaw Coal and Railway Company to construct road through Indian Territory—to the Committee on the Territories.

A bill (S. 4885) to provide for the purchase of a site and the erection of a public building thereon at Westerly, in the State of Rhode Island, etc.—to the Committee on Public Buildings and Grounds.

A bill (S. 4906) authorizing the Secretary of War to cause an exploration and survey to be made of the interior of the Territory of Alaska—to the Committee on Military Affairs.

A joint resolution (S. R. 97) authorizing George H. Seidmore, vice consul general of the United States at Kanagawa, Japan, to accept a medal conferred upon him by the Emperor of Japan for saving a subject of Japan from death by drowning—to the Committee on Foreign Affairs.

## RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolution was introduced and referred as follows:

By Mr. MCKINLEY:

*Resolved*, That immediately after the adoption of this order the House shall proceed to the consideration in the House of the bill (H. R. 12333) relating to the treaty of reciprocity with the Hawaiian Islands; to the Committee on Rules.

## REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees were delivered to the Clerk and disposed of as follows:

Mr. TURNER, of New York, from the Committee on Invalid Pensions, reported with amendment the bill of the House (H. R. 13082) granting a pension to Mary Jane Allen, accompanied by a report (No. 3705)—to the Committee of the Whole House.

Mr. LANE, from the Committee on Invalid Pensions, reported with amendment the bill of the House (H. R. 13242) granting a pension to Matilda Porter, accompanied by a report (No. 3706)—to the Committee of the Whole House.

Mr. SAWYER, from the Committee on Invalid Pensions, reported with amendment the bill of the House (H. R. 9921) granting a pension to William P. Holl, accompanied by a report (No. 3707)—to the Committee of the Whole House.

Mr. CRAIG, from the Committee on Invalid Pensions, reported favorably the bill of the Senate (S. 1035) granting a pension to Betsy Johnson, accompanied by a report (No. 3708)—to the Committee of the Whole House.

Mr. MARTIN, of Indiana, from the Committee on Invalid Pensions, reported favorably the bill of the House (H. R. 13174) to grant a pension to Absalom M. Wolf, of Mier, Ind., accompanied by a report (No. 3709)—to the Committee of the Whole House.

Mr. LAWS, from the Committee on Invalid Pensions, reported favorably the bill of the Senate (S. 4474) to increase the pension of Edward H. Leib, accompanied by a report (No. 3710)—to the Committee of the Whole House.

Mr. DINGLEY, from the Committee on Merchant Marine and Fisheries, reported with amendment the bill of the House (H. R. 12713) to establish a marine board for the advancement of the interests of the merchant marine, accompanied by a report (No. 3711)—to the House Calendar.

Mr. YODER, from the Committee on Invalid Pensions, reported with amendment the bill of the House (H. R. 12722) granting a pension to Elizabeth R. Loury, accompanied by a report (No. 3712)—to the Committee of the Whole House.

Mr. BELKNAP, from the Committee on Invalid Pensions, reported favorably the bill of the Senate (S. 3552) granting a pension to Mrs. Jane Hinsdale, accompanied by a report (No. 3713)—to the Committee of the Whole House.

Mr. KINSEY, from the Committee on Military Affairs, reported with amendment the bill of the House (H. R. 12111) to provide for the purchase of a site and the erection of suitable buildings thereon for a military post at San Diego, Cal., and for other purposes, accompanied by a report (No. 3714)—to the Committee of the Whole House on the state of the Union.

Mr. PERKINS, from the Committee on Indian Affairs, reported favorably the bill of the Senate (S. 2675) to authorize the Kansas and Arkansas Valley Railway to construct and operate additional lines of railway through the Indian Territory, and for other purposes, accompanied by a report (No. 3715)—to the House Calendar.

Mr. MOORE, of New Hampshire, from the Committee on the District of Columbia, reported with amendment the bill of the Senate (S. 1988) to establish a hospital and home for inebriates and dipsomaniacs in the District of Columbia, accompanied by a report (No. 3716)—to the Committee of the Whole House on the state of the Union.

Mr. WHEELER, of Alabama, from the Committee on Military Affairs, reported favorably the bill of the House (H. R. 12185) for the relief of William G. Tidwell, accompanied by a report (No. 3717)—to the Committee of the Whole House.

Mr. O'NEILL, of Pennsylvania, from the Committee on the Library, reported favorably the bill of the Senate (S. 257) in regard to a monumental column to commemorate the battle of Trenton, in the State of New Jersey, and appropriating \$30,000, accompanied by a report (No. 3719)—to the Committee of the Whole House on the state of the Union.

Mr. STONE, of Kentucky, from the Committee on War Claims, to which were referred the bills of the House (H. R. 9720) for the relief of the estate of R. M. Ely and (H. R. 6272) for the relief of Samuel F. Engs, of Fauquier County, Virginia, reported in lieu thereof the following resolution:

*Resolved*, That the following bills (H. R. 9720 and 6272) for the relief of Robert M. Ely, of Lee County, Virginia, and Samuel F. Engs, of Fauquier County, Virginia, together with all accompanying papers, be, and the same are hereby referred to the Court of Claims, under the provisions of the act of Congress known as "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887; accompanied by a report (No. 3720); which was referred to the Committee of the Whole House.

Mr. WILLIAMS, of Ohio, from the Committee on Military Affairs, reported favorably the bill of the House (H. R. 8159) for the relief of John Tucker, late private Company F, Thirty-eighth Ohio Volunteers, accompanied by a report (No. 3721)—to the Committee of the Whole House.

Mr. WILLIAMS, of Ohio, also, from the Committee on Military Affairs, reported with amendment the bill of the House (H. R. 13284) to correct the military record of Jonathan Murphy, of Grant County, Indiana, accompanied by a report (No. 3722)—to the Committee of the Whole House.

Mr. YODER, from the Committee on Invalid Pensions, reported favorably the bill of the House (H. R. 11118) to place the name of Ruth McAnnally on the pension roll, accompanied by a report (No. 3723)—to the Committee of the Whole House.

Mr. OSBORNE, from the Committee on Military Affairs, reported favorably the following bills of the House; which were severally referred to the Committee of the Whole House:

A bill (H. R. 13416) for the relief of Augustus Boyd. (Report No. 3724.)

A bill (H. R. 2910) giving a military record to Alexander Francisco, deceased. (Report No. 3725.)

Mr. WILLIAMS, of Ohio, from the Committee on Military Affairs, reported favorably the bill of the House (H. R. 13431) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes, accompanied by a report (No. 3726)—to the Committee of the Whole House on the state of the Union.

Mr. BINGHAM, from the Committee on the Post Office and Post Roads, reported favorably the bill of the Senate (S. 4781) creating the office of Fourth Assistant Postmaster-General, accompanied by a report (No. 3728)—to the Committee of the Whole House on the state of the Union.

Mr. LIND, from the Committee on Commerce, reported with amendment the bill of the House (H. R. 13051) to authorize the construction of a bridge over the St. Louis River from Wisconsin to Minnesota, accompanied by a report (No. 3730)—to the House Calendar.

Mr. NUTE, from the Committee on Invalid Pensions, reported favorably the bill of the House (H. R. 12973) granting a pension to Sarah Steedman, accompanied by a report (No. 3731)—to the Committee of the Whole House.

## ADVERSE REPORTS.

Under clause 2 of Rule XIII, an adverse report was delivered to the Clerk and indefinitely postponed, as follows:

By Mr. BURTON, from the Committee on the District of Columbia, on the bill (S. 3061) for the relief of James W. Walsh and others, accompanied by a report (No. 3727).

## BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, severally read twice, and referred as follows:

By Mr. ADAMS: A bill (H. R. 13509) to provide for the appointment of an assistant appraiser at the port of Chicago—to the Committee on Ways and Means.

By Mr. BINGHAM: A bill (H. R. 13510) to amend section 3878 of the Revised Statutes, relating to postal rates on third-class matter—to the Committee on the Post Office and Post Roads.

By Mr. KELLEY: A bill (H. R. 13512) granting the right to erect and maintain dams across the Kansas River, within Shawnee County, in the State of Kansas—to the Committee on Commerce.

## PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BLOUNT: A bill (H. R. 13513) for the relief of A. V. Toole—to the Committee on War Claims.

By Mr. BOATNER: A bill (H. R. 13514) for the relief of Mary A. Dennis, formerly McFarland—to the Committee on War Claims.

By Mr. BURTON: A bill (H. R. 13515) for the relief of Eunice M. Brown—to the Committee on War Claims.

By Mr. CRISP: A bill (H. R. 13516) granting a pension to Adaline Simons—to the Committee on Pensions.

By Mr. FORMAN: A bill (H. R. 13517) increasing the pension of Mrs. Polly B. Miller—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 13518) granting a pension to Levi Loar—to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 13519) to compensate Isaac M. Hobbs for property stolen by Comanche and Kiowa Indians—to the Select Committee on Indian Depredation Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were placed on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of merchants of Chicago, against unlim-



ited coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. ATKINSON, of West Virginia: Petition of different American orders in the city of Wheeling, W. Va., asking that a law be passed to prevent the desecration of the American flag—to the Committee on Military Affairs.

By Mr. BAYNE: Petition of Park Council, Junior Order United American Mechanics, of De Haven, Pa.; also, resolution of Ross Council, Junior Order United American Mechanics, of Ross, Pa., to restrict immigration—to the Select Committee on Immigration and Naturalization.

By Mr. COLEMAN: Resolutions of the representatives of the banks of New Orleans, La., deprecating the further discussion of the measure known as the free-coinage bill by the United States Congress, and requesting the Senators and Representatives to use their influence in preventing agitation of this question any longer; and that the prolonged discussion of said measure is a standing menace to the growing prosperity of the whole country—to the Committee on Coinage, Weights, and Measures.

By Mr. CUMMINGS: Petition of soldiers, sailors, and marines who served their country during the great rebellion, asking for the passage of House bill 8287, entitled "A bill to insure preference in appointment, employment, and retention therein in the public service of the United States to veterans of the late war"—to the Select Committee on Reform in the Civil Service.

By Mr. DALZELL: Resolutions of American Defense Association, General McClellan Council, Junior Order United American Mechanics, in favor of legislation to restrict immigration—to the Committee on Immigration and Naturalization.

By Mr. EDMUNDS: Petition of Y. W. Mayo, W. Y. Lacey, and 16 others, citizens of Halifax, Va.; also, of John D. Emerson, R. A. Mustair, and 16 others, citizens of the same county and State, asking Congress for appropriation of money for complete system of levees on the Mississippi River from Cairo to the Gulf, to prevent disastrous floods and improve navigation—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. ENLOE: Petition of John E. Gwin, J. W. Delany, and 38 others, citizens of Carroll County, Tennessee, asking Congress for appropriation of money for complete system of levees on the Mississippi River from Cairo to the Gulf, to prevent disastrous floods and improve navigation—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. FUNSTON: Affidavit of John B. Newberry in support of House bill 10890, for pension for Thomas F. Baker—to the Committee on Invalid Pensions.

By Mr. GEAR: Petition of Sue C. White in regard to her pension claim—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Petition of J. M. Fletcher, secretary of General Frémont Council, Junior Order United American Mechanics, of Beallsville, Ohio, in support of a bill to restrict immigration—to the Select Committee on Immigration and Naturalization.

By Mr. HEARD: Petition of citizens of Boone County, Missouri, in favor of the passage of the Torrey bankrupt bill—to the Committee on the Judiciary.

By Mr. HITT: Resolutions of directors of Board of Trade of Chicago, urging bill to prohibit adulteration of food and malt liquors—to the Committee on Agriculture.

By Mr. HOUK: Petition of Roman Haynes, of Company E, Seventeenth Regiment United States Colored Troops, for the removal of the charge of desertion and to receive an honorable discharge—to the Committee on Military Affairs.

By Mr. LAIDLAW: Petition of the Methodist Episcopal Church of Forestville, N. Y., representing 260 members, praying for the passage of the bill to prohibit the importation, exportation, and interstate transportation of alcoholic beverages—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. LAWS: Resolution of the Board of Trade of Lincoln, Nebr., urging legislation for future enumerations—to the Select Committee on the Eleventh Census.

By Mr. LEE: Petition on claim of Joseph Cawood, Osso, King George County, Virginia—to the Committee on War Claims.

By Mr. LESTER, of Georgia (by request): Petition of Solomon Taylor, of Effingham County, Georgia, for reference of claim to the Court of Claims under provisions of the Bowman act—to the Committee on War Claims.

By Mr. MARTIN, of Indiana: Affidavits of Jene Alger and Henry Purdy, in support of the bill to pension Absalom M. Wolf—to the Committee on Invalid Pensions.

By Mr. MONTGOMERY: Resolutions of the Farmers' Mutual Benefit Association, of Meade County, Kentucky, in favor of House bill 5353, known as the option bill—to the Committee on Agriculture.

By Mr. MORROW: Fifth annual report of the Ladies' Silk Culture Society of California, for the year ending June 30, 1890—to the Committee on Agriculture.

By Mr. OWEN, of Indiana: Memorial of Charlotte Smith and others, praying for the creation of a board of women commissioners of immigration—to the Select Committee on Immigration and Naturalization.

By Mr. PERKINS: Resolutions of a mass meeting of the citizens of Arkansas City, Kans., and vicinity, requesting legislative action that will open the Cherokee Outlet to settlement—to the Committee on Indian Affairs.

Also, petition of J. Mack Low and 63 others, residents of Arkansas City, Kans., praying for the passage of the Torrey bankruptcy bill—to the Committee on the Judiciary.

By Mr. PHELAN: Petition of G. O. Spencer; also, of F. E. Hunt, John Bancum, and 11 others; also, of J. B. Bartlett, M. D., H. H. Williams, and 22 others, citizens of Tipton County, Tennessee, asking Congress for appropriation of money for complete system of levees on the Mississippi River from Cairo to the Gulf, to prevent disastrous floods and improve navigation—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. RAY: Resolution adopted by Bradford (Pa.) Council, Junior Order United American Mechanics; also, of Mansfield Council, No. 66, of the same organization; also, of Hemminger's Mills Council, Pennsylvania, same organization; also, of John Leissenning Council, Pennsylvania, favoring the restriction of immigration—to the Select Committee on Immigration and Naturalization.

By Mr. SKINNER: Petition of Elizabeth Chester, widow of William Chester, of Hyde County, North Carolina, for reference of claim to Court of Claims under provisions of the Bowman act—to the Committee on War Claims.

By Mr. STEPHENSON: Affidavits in support of House bill 12330, for the relief of Sawy Fabry, jr., Iron County, Michigan—to the Committee on the Public Lands.

By Mr. STONE, of Missouri: Petition of Allen Evans, Charles Emery, and 24 others, citizens of Vernon County, Missouri; also, of William A. Routh, William Preston, and 23 others, citizens of St. Clair County, Missouri; also, of certain citizens of Cass County, Missouri, asking Congress for appropriation of money for a complete system of levees on the Mississippi River from Cairo to the Gulf, to prevent disastrous floods and improve navigation—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. STUMP: Three petitions of citizens of Pennsylvania and Maryland, for a restriction of the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. SWENEY: Petition of citizens of Howard County, Iowa, for the passage of a law giving authority to the States to control the manufacture and sale of butter imitations—to the Committee on the Judiciary.

By Mr. JOSEPH D. TAYLOR: Petition of H. W. McLane and 30 others; also, of B. K. Hill and 18 others; also, resolutions of the Oak Grove Farmers' Alliance; also, of the Knox Farmers' Alliance, of Jefferson County, Ohio, in favor of the passage of the antioption bill—to the Committee on Agriculture.

By Mr. WHITELOW: Petition of W. S. Chilton, A. J. Lawson, and 38 others, citizens of Shawano County, Wisconsin; also, of S. C. Pappham, William Smitherman, and 40 others, citizens of Pemiscot County, Missouri, asking Congress for appropriation of money for complete system of levees on Mississippi River from Cairo to the Gulf, to prevent disastrous floods and improve navigation—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. WILLIAMS, of Illinois: Additional evidence in support of claim of John J. Vincent, for property taken by the United States for the use of the Army—to the Committee on War Claims.

By Mr. YODER: Petition of citizens of Darke County, Ohio, favoring the farmers' option bill—to the Committee on Agriculture.

## SENATE.

SATURDAY, February 7, 1891.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature of the following enrolled bills, which had previously received the signature of the Speaker of the House of Representatives:

A bill (S. 139) for the relief of James H. Smith, late postmaster at Memphis, Tenn.;

A bill (S. 654) for the erection of a public building at St. Paul, Minn.;

A bill (S. 1074) for the relief of John Hollins McBlair;

A bill (S. 4592) to authorize the construction of a bridge across the Cumberland River for the use of the Chesapeake and Nashville Railway, and for other purposes;

A bill (S. 4886) to authorize the Norfolk and Western Railroad Company to bridge the Tug Fork of the Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky;